

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.O.P.No.11518 of 2015

Mrs.Rajarajeswari : Petitioner

-Vs-

The State rep. By
The Inspector of Police,
S5 Police Station,
Pallavaram,
Chennai-600 043. : Respondent

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct respondent police to register a complaint, dated 09.08.2014 given by the petitioner.

For Petitioner : M/s.K.Annamma

For Respondent : Mr.P.Govindarajan
Additional Public Prosecutor

O R D E R

This petition has been filed under section 482 Cr.P.C, praying to direct the respondent to register a case, on the basis of the petitioner's complaint, dated 09.08.2014.

2.Heard learned counsel appearing on either side.

3.The learned counsel for the petitioner submitted that the petitioner owned property at Pallavaram, Chennai and in order to meet the debts incurred by her son, she sold the property by executing a sale deed, dated 18.06.2008 to one Mrs.A.G.Rajalakshmi for a sale consideration of Rs.17,00,000/- and the entire sale consideration was received by way of two cheques and thereafter, the said Mrs.A.G.Rajalakshmi got back the two cheques from the petitioner and paid Rs.17,00,000/- by way of cash and on the very same day, she also used to visit the house of the petitioner and get back the cash of Rs.17,00,000/- stating that it was black money and she will come and pay the white money. Believing her words, the petitioner has returned back the amount of Rs.17,00,000/-. But till date, the said A.G.Rajalakshmi has not turned up with money as promised by her. Hence, the petitioner was constrained to lodge a complaint on 09.08.2014 before the respondent police. Since, no action has been taken by the respondent police, this petition is filed.

4.The learned Additional Public Prosecutor has

submitted that based on the complaint given by the petitioner, dated 09.08.2014, petition enquiry is pending.

5.In view of the above, the respondent police is directed to conduct a preliminary enquiry, which shall not extend beyond a period of seven days from the date of receipt of a copy of this order, by following the judgement of the Hon'ble Supreme Court in ***Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)]***. In conducting the preliminary enquiry, they shall put the concerned parties upon notice. At the end thereof, if any cognizable offence is made out, they shall duly register a case. In the event of effecting closure of the case upon conducting a petition enquiry, a copy of the closure report shall be forwarded to the complainant.

6.The Criminal Original Petition is disposed of with the above direction.

21.05.2015

Index:Yes/No
Internet:Yes/No

dp/sri/er

K.KALYANASUNDARAM,J

de/sri/er

To,

- 1.The Inspector of Police,
S-5 Police Station,
Pallavaram,
Chennai-600 0043
- 2.The Additional Public Prosecutor,
High Court, Madras.

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