

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2015

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.29403 of 2015

R. Nitin

... Petitioner

Vs

1. The Commissioner of Police,
Chennai City,
Vepery, Chennai.

2. The Inspector of Police (Law and Order),
B-2 Esplanade Police Station,
Chennai 600 104.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.
seeking a direction to the 2nd respondent to register the
complaint dated 10.02.2015 and investigate the matter.

For Petitioner : Mr.M.Palanivel

For Respondents : Mr.C.Emalias,
Addl. Public Prosecutor

O R D E R

The present Criminal Original Petition has been filed
seeking a direction to the 2nd respondent to register the
petitioner's complaint dated 10.02.2015 and investigate the
matter.

2. It is the case of the petitioner that one Mr.Bharath Raj
and his father, Mr.Kumar, came to his office and convinced him
to supply them steel materials worth Rs.1,02,359/- to their
Steel Fabrication Unit in the name of Sri Bhuvaneswari
Enterprises at Thirumullaivoyal. They promised to pay the said
amount along with already pending arrears amount of
Rs.12,32,829/-, totalling to Rs.13,35,188/- and issued two
cheques towards part settlement of earlier dues. Thereafter,
when the petitioner deposited the cheques in the Bank for
collection, to his shock and dismay, the cheques were returned
for the reason that their account has been blocked. On enquiry,
the petitioner came to know that the Company belonging to

Mr.Bharath Raj is not functioning and there is no banking operations in that account. As the said Barath Raj and his father Kumar intentionally cheated and committed fraud on him, the petitioner lodged a complaint against them with the Commissioner of Police, Chennai on 10.02.2015. Since no case was registered on the said complaint, the petitioner, having no other alternative, has come up with the present Criminal Original petition.

3. Heard the learned counsel for the petitioner as also the learned Additional Public Prosecutor appearing for the respondents.

4. Learned Additional Public Prosecutor appearing for the respondents would submit that C.S.R. number has been assigned to the petitioner's complaint vide C.S.R.No.80/2015 and the matter is pending.

5. It is seen that the matter is purely civil in nature. However, taking note of the fact that C.S.R. number has been assigned to the petitioner's complaint vide C.S.R.No.80/2015, this Court feels it appropriate to direct the 2nd respondent to conduct an enquiry on the petitioner's complaint dated 10.02.2015, if enquiry is not conducted so far, and proceed further in accordance with law, as early as possible.

This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To :

1. The Commissioner of Police,
Chennai City,
Vepery, Chennai 600 007.
2. The Inspector of Police (Law and Order),
B-2 Esplanade Police Station,
Chennai 600 104.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.M. Palanivel, Advocate Sr.66703

CrI.O.P.No.29403 of 2015

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