

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2015

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.18756 of 2015

D.Muthukumar

... Petitioner

Vs.

1.State by

The Inspector of Police,
Thirupur North Police Station,
Thirupur.

2.R.Deivasigamani

(R2-impleaded as per order dated
31.08.2015 made in M.P.No.1 of 2015
in Crl.O.P.No.18756 of 2015)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Cr.P.C., praying to direct the respondent to register the case on the basis of the complaint given by the petitioner dated 22.06.2015 and investigate the case according to law and file a final report within a stipulated period.

For Petitioner : Mr.M.Easan

For Respondents: Mr.C.Emalias [R1]
Additional Public Prosecutor
Mr.P.M.Duraiswamy [R2]

O R D E R

This Criminal Original Petition has been filed praying to register the case on the basis of the complaint given by the petitioner dated 22.06.2015, investigate the case and file a final report.

2. Heard Mr.M.Easan, the learned counsel for the petitioner; Mr.C.Emalias, the learned Additional Public Prosecutor appearing for the first respondent and Mr.P.M.Duraiswamy, the learned counsel for the second respondent.

3. On a reading of the complaint given by this petitioner, it is seen that, this petitioner had given loans to several persons by taking their R.C. books, and he had re-pledged the R.C. books with

someone else. The vehicle owners had repaid the amount, but, since the R.C. book is not with the petitioner, he was not able to return the R.C. books to the vehicle owners.

4. On a complaint given by vehicle owners, a case in Crime No.816 of 2015 for the offences under Section 406, 420 I.P.C., has been registered by Tirupur North Police Station, against this petitioner and this petitioner has been arrested and he is now in jail.

5. In the present complaint given by this petitioner, he has alleged that the R.C. books are with the landlord and that the landlord had intimidated and usurped his property.

6. The learned counsel for the petitioner submits that, the complaint given by this petitioner was on 22.06.2015, but whereas the F.I.R., in Crime No.816 of 2015 was registered on 23.07.2015, which is subsequent to his complaint.

7. Be that as it may, the complaint given by the petitioner appears to be only an attempt to save himself from the persons, from whom he has collected the R.C. books. Therefore, no positive direction can be given to the Police to register an F.I.R., on the complaint dated 22.06.2015 given by the petitioner. Hence this Criminal Original Petition is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

ds

To:

1.The Inspector of Police,
Thirupur North Police Station,
Thirupur.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.P.M.Duraiswamy, Advocate, sr.46397 (16/09/2015)

bvr co
kra 15/09

Cr1.O.P.No.18756 of 2015