

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.10.2015

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.21836 of 2015

M.C.Ravikumar

Vs

.. Petitioner

State by:

The Inspector of Police (Crime)
Abiramapuram Police Station,
Chennai.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to direct the respondent police to register the petitioner's
complaint dated 12.06.2012 in accordance with law.

For Petitioner : Mr.B.Mahendra Naidu
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the
respondent police to register the petitioner's complaint dated
12.06.2012.

2. Heard the learned counsel for the petitioner and the
learned Public Prosecutor for the respondent.

3. It is seen that this petitioner lodged a complaint dated 12.06.2012 to the respondent Police against one Krishnamurthy and Natarajan. According to this petitioner, he had given his "Innova car" bearing Registration No.TN09 AK 8088 to the said Krishnamoorthy and Natarajan for the purpose of tourist business and that the car went missing. According to the petitioner, he came to know that the car was involved in a case in Crime No.541 of 2011 and he learnt that the road tax and other payments due to the car were not paid by the said Krishnamurthy and Natarajan. Having given the car in the year 2007 and after coming to know that it was involved in an accident in the year 2011, the petitioner lodged a complaint dated 12.06.2012 and also filed Crl.OP.No.24794 of 2013, for a direction to the Police to register a case on the complaint dated 12.06.2012. This Court has passed the following order on 01.10.2013:

"3. It has been submitted that the proposed accused persons are keeping the documents and also the vehicle of the petitioner in connection with the some money dispute .

4. Learned Additional Public Prosecutor submits that the complaint papers are not available with the respondent.

5. In the circumstances, the petitioner

namely C.Ravikumar, is directed to furnish fresh complaint to the second respondent and on receipt of the same, the Inspector of Police, Abhiramapuram, Chennai will enquire the matter and if there is cognizable offence will proceed with the same in accordance with law."

4. After that, this petitioner filed a contempt petition in Cont.P.No.3384 of 2014, in which this Court has passed the following order on 17.06.2015 :

"Srinivasan, Inspector of Police, Abiramapuram Police Station present. He is being represented by the learned Additional Public Prosecutor. The learned counsel for the petitioner present. It is stated that the petitioner was so much attachment with the Innova Car.

Since this Car matter is going to end a happy conclusion much to the liking of the petitioner, the learned counsel for the petitioner withdrawn this petition and has made an endorsement to that effect. Recorded.

Petition is dismissed as withdrawn."

5. Now, once again this second direction petition has been filed by this petitioner to register a case on the complaint dated 12.06.2012. When the matter had already been disposed of by this Court upto the level of contempt petition, this second petition for the same direction is not maintainable.

6. The learned counsel for the petitioner submitted that the learned Additional Public Prosecutor, who appeared in the said case had given an undertaking that he will take action on the complaint. But this Court does not find any such reference either in the order dated 01.10.2013 or in the order dated 17.06.2015 passed by this Court. This petitioner has withdrawn the contempt petition. Therefore, no positive direction as prayed for by this petitioner can be granted.

7. In the result, this Criminal Original Petition is devoid of merits and hence dismissed.

28.10.2015

ds

To:

- 1.The Inspector of Police (Crime)
Abiramapuram Police Station,
Chennai.
- 2.The Public Prosecutor,
High Court, Madras.

P.N.PRAKASH,J

ds

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