

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.24093 of 2015

S.Srinivasan

... Petitioner

Vs

Inspector of Police,
Villupuram Taluk Police Station,
Villupuram.

.... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent police to investigate the Crime No.1167 of 2012 under Section 379 IPC and file the charge sheet at the earliest.

For Petitioner : Mr.J.C.Durairaj

For Respondent : Mr.C.Emalias, APP

O R D E R

This petition has been filed to direct the respondent to file final report in Crime No.1167 of 2012.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor for the respondent and perused the materials placed on record.

3. The respondent police have filed counter, wherein, in paragraph No.4, it is stated as follows:

"4. I submit that based on the statement of the witnesses, it revealed that the complainant purchased the said vehicle from one Baskaran for which the complainant got finance from M/s.Sri Equipment Finance Pvt. Ltd., Calcutta and the same has been running at Kerala. Only in order to claim insurance and to postpone the due amount to the finance company, the petitioner herein lodged this false complaint. Hence, on 03.12.2014, the then Inspector of Police referred the case as "Mistake of Fact" and served the RC's notice No.59/2012 to the complainant, but he was refused to receive the same; the respondent police submitted the final report before the Judicial Magistrate No.1, Villupuram on 03.12.2012.

Thereafter, the petitioner herein filed a direction petition before this Hon'ble High Court vide Crl.OP.No.19344 of 2013 and obtained an order dated 30.07.2013 in which directed the respondent to file a final report as expeditiously as possible.

Hence, on 05.01.2014, the then Inspector of Police affixed the RC's notice in the house door of the complainant in the presence of Tr.Elumalai-Menial of VAO and Tr.Dhanasekaran-independent witness."

4. In view of the above, this petition is closed, with liberty to the petitioner to workout the remedies in the manner known to law.

Sd/-
Assistant Registrar(AD I)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Villupuram Taluk Police Station,
Villupuram.

2.The Public Prosecutor,
High Court, Madras.

+ 1 CC TO MR.J.C.DURAIRAJ, ADVOCATE SR 64629 (7/1/16)

सत्यमेव जयते

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AP(CO)

Eu 4.11.15

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