

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.25219 of 2015

1. Shabir Ahmed Shawl
2. Shafat Ahmed Shawl
3. Kurseed
4. Ashad Ahmed Shah ... Petitioners

Vs

1. State by The Inspector of Police,
F.4 Thousand Lights Police Station, (L&O),
Chennai.
2. S.Manoj Kumar ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the first respondent to register FIR against T.Venkatesh, S/o.R.Thilagan based on the complaints given by the petitioners dated 11.08.2015.

For Petitioner : Mr.G.V.Sridharan
For respondent : Mr.C.Emalias,
Additional Public Prosecutor R1,

O R D E R

The present criminal original petition has been filed seeking a direction to the first respondent to register a case on the complaint of the petitioner dated 11.08.2015.

2. The petitioners are residents of No.18, Quaide Mileth Nagar, Anagaputhur, Chennai. The first petitioner is running a business under the name and style of M/s.Master Collections, having shop at No.F-60, Spencer Plaza, First Floor, II Phase, Anna Salai, Chennai - 600 002. The petitioners 2 to 4 are brothers of the first petitioner and they are also working in the same business. One Venkatesh is also running a shop in Spencer Plaza at Shop No.17, II Phase, Anna Salai, Chennai - 600 002 and he introduced himself as he is doing finance and money transfer. In the first week of July 2012, the said Venkatesh induced the first petitioner to invest a sum of

Rs.46,00,000/- stating that if the amount is deposited it will be doubled in three years. Believing the words of the said Venkatesh, the first petitioner invested the amount and transferred the amount in two parts on 25.05.2012 by RTGS. The said Venkatesh has also issued a receipt for the same. Though three years period has lapsed, he has not paid the amount to the petitioner and thus he has cheated the petitioner. The said Venkatesh is running the said money transfer business without proper licence. When the first petitioner asked to return the deposit amount, the said Venkatesh abused the petitioner in filthy language. Immediately, the petitioner lodged a complaint before the first respondent. Though C.S.R.No.288 of 2015 has been assigned, till date, no action has been taken. Hence, the petitioner has come up with the present petition.

3. I have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the first respondent.

4. The learned Additional Public Prosecutor has submitted that on the complaint lodged by the petitioner, C.S.R.No.288 of 2015 has been assigned and the matter is pending for enquiry.

5. In view of the submissions made by the petitioner as well as the Additional Public Prosecutor, this Court directs the first respondent to conduct enquiry on the complaint of the petitioner dated 11.08.2015 in C.S.R.No.288 of 2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the respondent is directed to proceed further in accordance with law.

6. The Criminal Original Petition is ordered accordingly.
vrc

s/d-

सत्यमेव जयते
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
F.4 Thousand Lights Police Station, (L&O), Chennai.

2. The Public Prosecutor, High Court, Madras.
+ 1 cc to Mr.G.V.Sridharan, Advocate SR 62961

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