

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

CrI.O.P.No.25399 of 2015

K.R.Jagannathan
Rep. by his Power of Attorney
Mr.Mohammed Riyaz ... Petitioner

Vs.

1. The Commissioner of Police,
O/o.Commissionerate of Police,
Egmore, Chennai.
2. The Assistant Commissioner of Police,
Central Crime Branch - Lad Grabbing Cell,
O/o.Commissionerate of Police,
Egmore, Chennai. ... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the 2nd respondent to register the complaint dated 22.09.2015 preferred by the petitioner through his power agent and to investigate the same and consequently direct the 1st respondent to monitor the investigation of the same.

For Petitioner : Mr.Kaviyanathan
for Nathan and Associates
For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition is filed for direction to the second respondent to register the complaint dated 22.09.2015 preferred by the petitioner through his power agent and to investigate the same and consequently direct the 1st respondent to monitor the investigation of the same.

2.The petitioner herein lodged a complaint against Pugazhendhi, Saravanan and Harivasagam alleging that Pugazhendhi with the support of the other two persons is trying to sell the property for which a sale agreement was entered into by the

petitioner, to third parties by forging and fabricating several documents and mentioning that there is no disputes in the property. The said complaint was given on 22.09.2015, but till date, the case has not been registered. Hence, this petition.

3.The learned Additional Public Prosecutor submitted that the petitioner is not co-operating with the respondents for enquiry and on last three occasions notices were issued to the address given by the petitioner namely, Masoothi Street, First Lane, Saidapet to appear for enquiry, but all the notices were returned with the postal endorsement 'not known'. He would further submit that if the petitioner co-operates for enquiry, the respondents would take action on his complaint.

4.I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

5.In view of the submission made by the learned Additional Public Prosecutor, this Court is constrained to pass the following order:-

The petitioner is directed to appear before the respondents police on 09.11.2015 along with all necessary documents and on such appearance, the respondents police is directed to conduct enquiry and upon such enquiry, if any cognizable offence is made out, the respondents police is further directed to proceed in accordance with law as early as possible. The petitioner is further directed to co-operate with the enquiry.

6.With the above directions, the Criminal Original Petition is disposed of.

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-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Commissioner of Police,
O/o.Commissionerate of Police,
Egmore, Chennai.
2. The Assistant Commissioner of Police,
Central Crime Branch - Lad Grabbing Cell,
O/o.Commissionerate of Police,
Egmore, Chennai.

3. The Public Prosecutor
High Court, Madras.

+ 1 cc to M/s.Nathan and Associates, Advocate SR 61074

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