

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Cr1.O.P.No.25729 of 2015

P.Pazani

... Petitioner

Vs.

1. State Rep by its
Superintendent of Police,
Thiruvannamalai,
Thiruvannamalai District.

2. State rep by its
The Inspector of Police,
Kadalaadi Police Station,
Kadalaadi,
Thiruvannamalai District.

... 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 18.07.2014 and investigate the same under the supervision of the 1st respondent and file final report as expeditiously as possible.

For Petitioner : Mr.R.Bhagawat Krishna

For Respondents: Mr.C.Emalias

Additional Public Prosecutor

ORDER

This petition is filed for a direction to the second respondent to register the complaint dated 18.07.2014 and investigate the same under the supervision of the first respondent and file final report as expeditiously as possible.

2.The petitioner is a farmer and doing agriculture on his own lands. The petitioner is in the habit of raising loans for the purpose of doing agriculture and as such he pledged the jewels of his wife in the Indian Overseas Bank, Kancheepuram Branch. On the occurrence day, the petitioner arranged a sum of Rs.2,00,000/- from his relatives to redeem the loan amount and went to Bank, redeemed the loan amount and once again pledged

the jewels for the same amount of Rs.2,00,000/- as he has to repay the said amount to his relatives from whom he arranged and was returning in his TVS XL bike from Melpaloor, Tiruvannamalai District to his home where he happened to cross a damaged road and at the time of crossing the damaged road, the side box in his bike fell down and on verifying the same, he came to know that the bag containing the sum of Rs.2,00,000/- has already fallen down. Hence, he returned back on his way to find out the bag and at that time, he enquired some school students who were returning from their school and was informed that one Selvakumar who is studying ninth standard in a Government School at Kelpaloor took the bag from the road. The petitioner suspecting the said Selvakumar lodged a complaint before the respondent police on 18.07.2014, but no action has been taken so far. Hence, this petition.

3. When the matter was taken up for consideration today, the learned Additional Public Prosecutor submitted that no complaint was pending with the respondent and further submitted that if the petitioner gives a fresh complaint, the second respondent would take appropriate action.

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

5. In view of the submissions made by the learned Additional Public Prosecutor, this Court directs the petitioner to give a fresh complaint to the second respondent within a period of two weeks from the date of receipt of a copy of this order and the second respondent on receipt of the same is directed to conduct enquiry on the same and upon enquiry, if materials are gathered indicating commission of any cognizable offence, is directed to proceed further in accordance with law, as early as possible.

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

pri

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Thiruvannamalai,
Thiruvannamalai District.

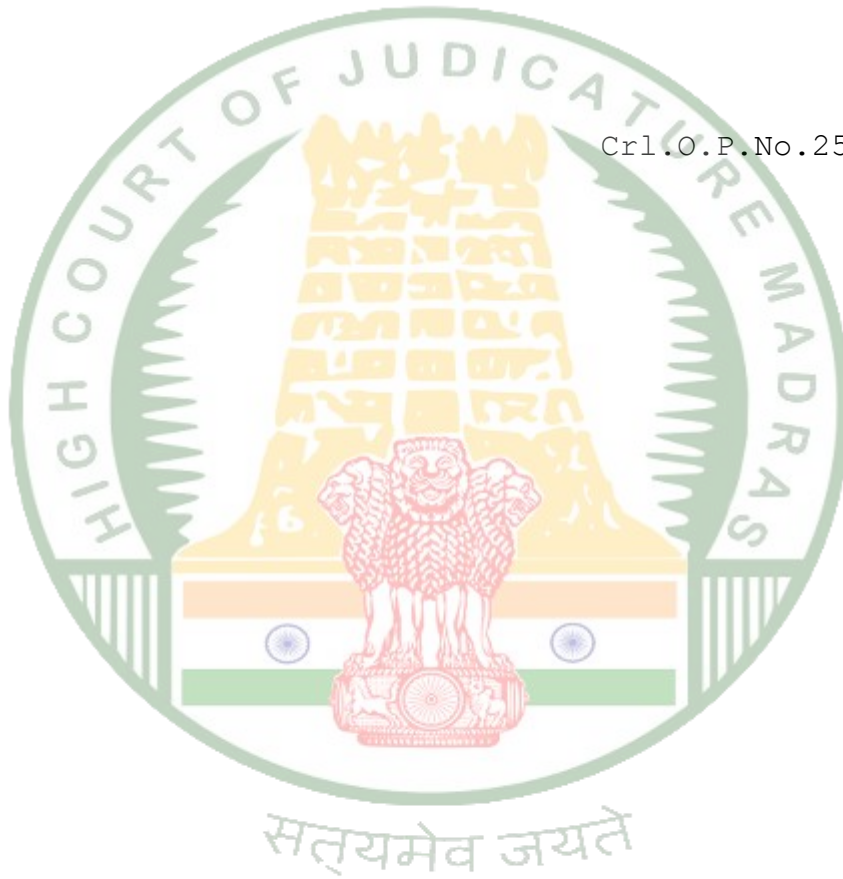
2. The Inspector of Police,
Kadalaadi Police Station,
Kadalaadi,
Thiruvannamalai District.

3. The Public Prosecutor
High Court, Madras.

+ 1 CC TO MR.R.BHAGAWATKRISHNA, ADVOCATE SR 60669 (5/1/16)

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