

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.25856 of 2015

P.Sathiyamoorthi

... Petitioner

Vs

The State Represented by
The Inspector of Police,
J.7 Police Station,
Velacherry, Chennai.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register the case on the basis of the petitioner's complaint dated 19.07.2014 in complaint receipt number:45/J 7X/14, on the file of the respondent.

For Petitioner : Mr.C.T.Saravanan

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking direction to the respondent to register a case based on the complaint of the petitioner dated 19.07.2014 in complaint receipt number:45/J 7X/14.

2. The case of the petitioner is that one Rajalakshmi approached the petitioner and informed him that there is a lay out plots available for sale at Red Hills, Gogulapuram Layouts to an extent of 4850 sq.ft. The said Rajalakshmi has also informed that one Annamalai has got the power of attorney in his favour for plot Nos.1120 and 1121. Believing her words, the petitioner decided to purchase the above plots and paid a sum of Rs.2,00,000/- to the said Rajalakshmi and the said Rajalakshmi dragged the matter without coming forward to execute the sale deed. On suspicion, the petitioner verified the records and he came to know that plot Nos.1120 and 1121 were sold by the said Annamalai in favour of one Komalavalli. When the petitioner questioned the same, the said Rajalakshmi sought apology and requested the petitioner not to make the same as a big issue and

promised that she will return the advance amount with double as Rs.4,00,000/-. But they have not returned the amount. Hence, the petitioner lodged a complaint and the same has been taken on file in CSR No.45/J 7X/14, however, till date no action was taken by the respondent. Hence, the present criminal original petition has been filed.

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

4. The learned Additional Public Prosecutor submitted that based on the complaint of the petitioner, CSR Number 45/J 7X/14 has been assigned and the respondent is prepared to conduct enquiry on the complaint given by the petitioner.

4. Considering the submissions made on either side, this Court is constrained to pass the following order:

The respondent is directed to conduct enquiry on the complaint given by the petitioner dated 19.07.2014 in C.S.R.45/J 7X/14 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law.

5. This criminal original petition is disposed of accordingly.

vrc/vsm

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
J.7 Police Station,
Velacherry, Chennai.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.C.T.Saravanan, Advocate SR 61059

msm(co)
prk25/11

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