

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.25946 of 2015

R.Kumar

...Petitioner

Vs

State represented by
The Inspector of Police,
K-10, Koyambedu Police Station,
Chennai District.

...Respondent

Criminal Original Petition filed under Section 482 Cr.P.C.
to direct the respondents to register a First Information
Report based on the petitioner's complaint dated 28.8.2015.

For Petitioner : Mr.R.Venkatesh
For respondent : Mr.C.Emalias,
Addl.Public Prosecutor

ORDER

The present petition has been filed seeking a direction to
the respondent to register a First Information Report based on
the petitioner's complaint dated 28.8.2015.

2. The petitioner herein lodged a complaint against one
Dinesh @ Manoj stating that the petitioner advanced an amount of
Rs.25 lakhs to the said Dinesh @ Manoj and when the petitioner
asked him for repayment the said amount, the said Dinesh @
Manoj, with the help of henchmen, abused him with filthy
language and made an attempt to attack the petitioner. Hence, a
complaint was lodged by the petitioner on 28.08.2015. Since no
action was taken by the respondent police on the complaint given
by the petitioner, he has come forward to file this petition
seeking the above said relief.

3. When the matter is taken up for consideration, learned
Additional Public Prosecutor submitted that the allegation made

by the petitioner is civil in nature and hence, he opposed this petition.

4. Learned counsel for the petitioner submits that there is a specific allegation that the said Dinesh @ Manoj along with the henchmen made an attempt to attack the petitioner.

5. Considering the factual aspects of the case, without going into the merits of the contentions raised by the petitioner, this Court directs the respondent to conduct an enquiry on the complaint dated 28.08.2015 lodged by the petitioner. If the materials gathered indicates commission of any cognizable offence, the respondent police is directed to proceed further in accordance with law, as early as possible. In the event, during investigation, the respondent police comes to a conclusion that the matter is civil in nature, the respondent police can advise the party to approach the Civil Court.

5. This criminal original petition is disposed of accordingly.

sd/
ASSISTANT REGISTRAR (CS-II)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

vsi

To

1. The Inspector of Police,
K-10, Koyambedu Police Station,
Chennai District.

2. The Public Prosecutor,
High Court, Madras.

+1 CC to MR.R.Venkatesh Advocate. SR.NO. 61506

Cr1.O.P.No.25946 of 2015

AR-II

JD 23/11/2015