

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.25999 of 2015

Subramaniam

.. Petitioner

..vs..

State rep. By Inspector of Police  
B-14, Kuniamuthur Police Station  
Coimbatore - 641 008

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to register a case on the basis of the complaint given by the petitioner dated 09.10.2015 and investigate the same and submit a report to the Court.

For Petitioner : Mr.B.Nambiselvan

For Respondents: Mr.C.Emalias  
Additional Public Prosecutor

O R D E R

The present petition has been filed to direct the respondents to register a case based on the complaint given by the petitioner dated 09.10.2015.

2. The petitioner is doing the business in the name and style of "Sun Trading Company" and supplying welding machines after getting orders from various customers. For supplying machines in and around Coimbatore, a branch office was opened in the building of Abdul Khader, Son of Abdul Rasheed, K.P.P.Nagar, Kuniamuthur, Coimbatore and the said Abdul Khader was administering the affairs of the Coimbatore Branch. The petitioner company was supplying welding machines to M/s.Welding Equipments and Power Tools and M/s.Pioneer Welding Product, both situated at Coimbatore from 2011 onwards and a sum of Rs.25,00,000/- was outstanding from the said companies. While so, the said Abdul Khader conspired together with the above said companies and prepared a forged delivery note stating that the above machineries were returned to the petitioner company, since there were defects in the machineries and thereby committed breach of trust and cheated the petitioner. When the petitioner demanded money, they also threatened the petitioner with dire consequences. Hence, the petitioner lodged a complaint before the respondent police on 09.10.2015. Since there is no progress in the said complaint, the petitioner came forward to file this petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. The learned Additional Public Prosecutor submitted that on receipt of the complaint, C.S.R.No.383 of 2015 has been assigned and the matter is pending enquiry.

5. Considering the rival submissions, this Court directs the respondent to conduct enquiry on the complaint given by the petitioner dated 09.10.2015 and upon such enquiry, if materials are gathered indicating commission of any cognizable offence, the respondent is directed to proceed further in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.  
Gpa

Sd/-

Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector of Police  
B-14, Kuniamuthur Police Station  
Coimbatore - 641 008

2. The Public Prosecutor  
Madras High Court, Chennai

+1 C.C. To MR.B.Nambiselvam, Advocate in SR.NO.61121

Cr1.O.P.No.25999 of 2015

VSN(CO)

sd : 27/11/2015

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