

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.26197 of 2015

K.Saravanan

.. Petitioner

..VS..

1. The Superintendent of Police
Tiruppur District
Tiruppur

2. The Inspector of Police
Vellakoil Police Station
Tiruppur District

..Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents to register a case based on the complaint given by the petitioner on 14.10.2015 and consequently direct the respondents herein to investigate the same in accordance with law.

For Petitioner : Mr.D.Lakshmipathy

For Respondents : Mr.Emalias
Additional Public Prosecutor

O R D E R

The present petition has been filed seeking a direction to the respondents to register a case based on the complaint given by the petitioner dated 14.10.2015.

2. The petitioner, who is working in the Tamil Nadu Electricity Board, has received a sum of Rs.1,00,000/- as hand loan from one Muruganandam and handed over two IDBI Bank blank cheques and unfilled stamp papers with signature. As on date, the petitioner paid a sum of Rs.1,80,000/- as interest in the last four years. The petitioner would further state that due to exigent circumstances in the family, the petitioner could not pay the interest for the past three months. While so, on 07.09.2015, one Arun, who is son-in-law of the said Muruganandam, came to the petitioner house and abused the

petitioner's mother with filthy language and threatened to pay an amount of Rs.3 lakhs. Again on 04.09.2015 at 10.00am, the proposed accused asked the petitioner to come to his house and attempted to assault the petitioner with a spade and he is also regularly threatening the petitioner over phone to pay a sum of Rs.3 lakhs. On 14.10.2015, the said Muruganandam threatened the petitioner over phone and asked him to pay Rs.3,00,000/- before 05.00pm or otherwise they will kidnap the entire family. The petitioner states that though the complaint clearly discloses offences punishable under Sections 294(b), 323, 324 and 506(ii) IPC and Section 3 and 4 of Exorbitant Interest Act, the respondent is not taking action to register the case. Hence, the petitioner came forward to file this petition.

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

4. The learned Additional Public Prosecutor submitted that the complaint was sent by post and the petitioner may be directed to give a fresh complaint in person.

5. Considering the rival submissions, this Court directs the petitioner to furnish a fresh copy of the complaint dated 14.10.2015 in person to the respondent within a period of one week from today and on receipt of such complaint, the second respondent is directed to conduct enquiry if enquiry was not conducted so far and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the second respondent is directed to proceed further in accordance with law, as early as possible.

6. The Criminal Original Petition is disposed of accordingly.

-s/d-
सत्यमेव जयते
Assistant Registrar

True Copy

WEB COPY
Sub-Assistant Registrar

gpa

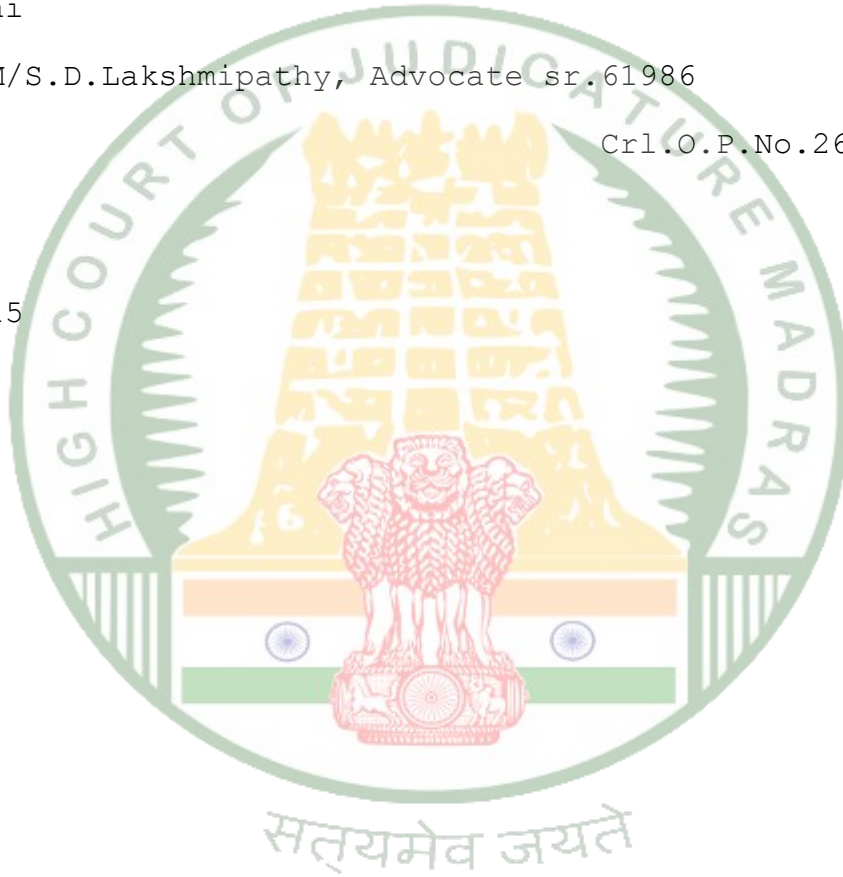
To

1. The Superintendent of Police
Tiruppur District
Tiruppur
2. The Inspector of Police
Vellakoil Police Station
Tiruppur District
3. The Public Prosecutor
Madras High Court
Chennai

+1 cc to M/S.D.Lakshmipathy, Advocate sr.61986

Crl.O.P.No.26197 of 2015

ppa (co)
aa1/12/2015



WEB COPY