

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26257 of 2015

S.Ganesan

... Petitioner

Vs

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

2. The Sub Inspector of Police,
Sathyamangalam Police Station,
Sathyamangalam Village,
Villupuram District.

... Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. seeking a direction to the respondents to register the
complaint dated 18.09.2015 and to carry out true and proper
investigation.

For Petitioner : Mr.R.Thanjan
For Respondents : Mr.C.Emalias,
Additional Public Prosecutor.

ORDER

The present criminal original petition has been filed
seeking a direction to the respondents to register the complaint
given by the petitioner dated 18.09.2015 and investigate the
same in accordance with law.

2. The petitioner herein lodged a complaint as against one
Murugan, Sekar and Alphonse on the allegation of cheating. The
petitioner is a trustee of Sri Mariamman Temple in
Sathyamangalam Village, Villupuram District. On completion of
annual rituals of the temple, the petitioner used to lend money
to the village people at a reasonable rate of interest to
develop funds. The petitioner lent a sum of Rs.30,000/- to one
Murugan and the said Murugan assured to repay the amount with
interest within a month. But, the said Murugan neither repaid
the principal amount nor the interest even after a lapse of 1 ½
years. When the petitioner demanded the money, said Murugan
attempted the attack the petitioner and also abused him with
filthy language. Hence, the petitioner lodged a complaint

before the second respondent on 23.06.2014. On receipt of the complaint, the respondent enquired the said Murugan and he undertook to repay the said amount with interest. Even thereafter, he failed to repay the amount and also abused the petitioner with filthy language alongwith his sons Sokku @ Sathiamurthy and Appu. Hence, the petitioner lodged another complaint on 18.09.2015. Since no action was taken by the respondents, the petitioner came forward to file this petition.

3. Today, when the matter is taken up for consideration, the learned Additional Public Prosecutor submitted that a case has already been registered in Crime No.117 of 2014 against Murugan, Sekar and Alphonse in respect of the occurrence that had taken place on 23.06.2014 for the alleged offences under Sections 420 and 506(i) IPC.

4. In reply to the said submission, the learned counsel for the petitioner submitted that the petitioner gave another complaint on 18.09.2015 against few other persons and the above said case registered by the respondent was in respect of the complaint lodged by the petitioner on 29.09.2014.

5. In view of the submissions made on both sides, this Court directs the second respondent to conduct an enquiry on the complaint given by the petitioner dated 18.09.2015, 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.

gpa

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

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

2. The Sub Inspector of Police,
Sathyamangalam Police Station,
Sathyamangalam Village
Villupuram District.

3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.R.Thanjan, Advocate SR 62244
ad(co)
prk2/12

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