

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2015

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.26383 of 2015

S.L.Balaganesan

... Petitioner

Vs

1. The Commissioner of Police,  
Office of the Commissioner of Police,  
Vepery, Chennai 600 007
2. The Deputy Commissioner of Police,  
Office of the Deputy Commissioner of Police,  
Adyar, Chennai. ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register the petitioner's complaint dated 10.10.2015 on the file of the respondent police.

For Petitioner : Mr.A.Jayaprakash

For Respondents : Mr.C.Emalias  
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking direction to the respondents to register a case on the basis of the complaint of the petitioner dated 10.10.2015.

2. It is the case of the petitioner that the Sub-Inspector of Police, Thuraipakkam Police Station has called the petitioner over phone stating that one Dakshinamoorthy has given a complaint against the petitioner and asked him to come to the police station. Since, the petitioner was residing in Thiruchendur, he informed the same to his advocate to attend the enquiry. When the advocate of the petitioner contacted the Inspector of Police, he was informed that the petitioner had intimidated one Dakshinamoorthy. In fact, Dakshinamoorthy and his sister Janaki had given a Power of Attorney to Krishnamoorthy, who is friend of the petitioner, to sell their house property by receiving a sum of Rs.8 lakhs. Thereafter, they demanded more money from the said Krishnamoorthy. Further

they threatened that if Krishnamoorthy does not pay the additional amount, they would cancel the power of attorney and also they informed the issue to the police officials. The Inspector of Police and the Sub-Inspector of police has received a false complaint against the petitioner as if the petitioner threatened the Dakshinamoorthy and Janaki and therefore, the petitioner has lodged a complaint as against the police officials. Though the complaint was lodged on 10.10.2015, till date, no action was taken. Hence, the present criminal original petition has been filed.

3. Today, when the matter is taken up for consideration, learned Additional Public Prosecutor submitted that since the petitioner was called for enquiry for the complaint given by one Dakshinamoorthy against the petitioner and one Krishnamoorthy, the present complaint has been given with false allegations. However, in both the complaints enquiry has been conducted and the same have been closed.

4. Since the complaint given by the petitioner was enquired and closed, nothing survives in this petition. Therefore, this Criminal Original Petition is dismissed .

Sd/-

Asst.Registrar (CS IV )

/true copy/

Sub Asst. Registrar

mrp

To

1. The Commissioner of Police,  
Office of the Commissioner of Police,  
Vepery, Chennai 600 007
2. The Deputy Commissioner of Police,  
Office of the Deputy Commissioner of Police,  
Adyar, Chennai.
3. The Public Prosecutor,  
High Court, Madras.

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