

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.26616 of 2015

V.Bhuvaneswari

...Petitioner/Defacto Complainant

Vs

State rep by

1.The Commissioner of Police,
O/o The Commissioner of Police,
Vepery, Chennai.

2.The Joint Commissioner of Police,
North Zone, Rajaji Salai, Chennai.

3.The Deputy Commissioner of Police,
O/o The Deputy Commissioner of Police,
Pulianthope, Chennai.

4.The Assistant Commissioner of Police,
O/o The Assistant Commissioner of Police,
M.K.B.Nagar, Chennai.

5.The Inspector of Police (Crime),
P-5, MKB Nagar Police Station,
MKB Nagar, Chennai.

...Respondents/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C.
seeking a direction to the 5th respondent to register a case
based on the petitioner's complaint dated 11.08.2015.

For Petitioner : Mr.K.Balasubramaniam

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor.

O R D E R

The present criminal original petition has been filed
seeking a direction to the 5th respondent to register a case
based on the petitioner's complaint dated 11.08.2015 and
investigate the same in accordance with law.

2. The petitioner has given a complaint as against one Sumathi on the allegation that she has received a sum of Rs.3 Lakhs from the petitioner on the false assurance that if the petitioner gives a sum of Rs.3 Lakhs, she would secure loan of Rs.5 Lakhs from the private banker. Believing the said words, the petitioner has given a sum of Rs.3 Lakhs. But, the said Sumathi neither arranged the loan nor returned the amount. Though the said complaint has been given on 11.08.2015, the said complaint has not been registered so far. Hence, the petitioner has filed the present criminal original petition.

3. The learned Additional Public Prosecutor submitted that the matter is purely civil in nature and thus he opposed to give a direction to the respondent police to register a case.

4. On a reading of the complaint, I am of the opinion that the complaint does not constitute any cognizable offence. Therefore, I am not inclined to give any direction to the respondent police to register a case. Accordingly, this Criminal Original Petition is dismissed.

sd/
ASSISTANT REGISTRAR (CS-IV)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

vsm

To

- 1.The Commissioner of Police,
O/o The Commissioner of Police,
Vepery, Chennai.
- 2.The Joint Commissioner of Police,
North Zone, Rajaji Salai, Chennai.
- 3.The Deputy Commissioner of Police,
O/o The Deputy Commissioner of Police,
Pulianthope, Chennai.
- 4.The Assistant Commissioner of Police,
O/o The Assistant Commissioner of Police,
M.K.B.Nagar, Chennai.

5.The Inspector of Police (Crime),
P-5, MKB Nagar Police Station,
MKB Nagar, Chennai.

6.The Public Prosecutor,
High Court, Madras.

+1 CC to MR.K.Balasubramaniam Advocate. SR.NO. 62396

Cr1.O.P.No.26616 of 2015

CO-MSM
JD 27/11/2015



WEB COPY