

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.26769 of 2015

G.Gomathi

... Petitioner

Vs

The Inspector of Police
M-4, Police station,
Red Hills,
Chennai - 600 052

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent police to register the petitioner's complaint dated 07.09.2015 made to the respondent immediately and to investigate the same in accordance with law.

For Petitioner : Mr.M.Mariappan

For respondent : Mr.C.Emalias,
Addl.Public Prosecutor.

ORDER

The present criminal original petition has been filed seeking a direction to the respondent to register the complaint dated 07.09.2015 and to investigate the same in accordance with law.

2. In the petition, it has been stated that the petitioner has conducted two chits for sum of Rs.3,00,000/-. The members of the chit had received the chit amount, but they had not paid the chit installment amount. When the petitioner had demanded the chit amount, the said accused persons had threatened her with the dire consequences. Hence, she lodged the complaint by mentioning the name of the members as well as the amount due to her. Since no action has been taken on the complaint lodged by the petitioner, she has come forward with the present petition.

3.I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4.Today, when the matter was taken up for consideration, learned Additional Public Prosecutor submitted that a complaint was lodged by one of the members of the chit viz., Devaraj stating that the petitioner has collected amount from the chit members and misappropriated the same and the said complaint was registered as Crime No.1455 of 2015. He further submitted that the complaint lodged by the petitioner do not constitute any cognizable offence.

5.Considering the averments made in the compliant, the present complaint has been lodged only for recovery of amount. Since no cognizable offence has been made out as contended by the learned Additional Public Prosecutor, this Court cannot give a direction to the respondent police to register the complaint and enquire the matter. Therefore, the present criminal original petition is dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police
M-4, Police station,
Red Hills,
Chennai - 600 052

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Mariappan, Advocate, S.R.No.63412

Cr1.O.P.No.26769 of 2015

VS(CO)
CA(08/12/2015)