

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

CrI.O.P.No.26838 of 2015

Sakthivel

... Petitioner

Vs.

The Inspector of Police,
Tirupur Rural Police Station,
Tirupur

... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent to register a case against the accused person in respect of the complaint dated 24.02.2015.

For Petitioner : Mr.K.S.Kaviarasu

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

This petition is filed for a direction to the respondent to register a case against the accused person in respect of the complaint dated 24.02.2015.

2.In the petition it is stated that the petitioner is working as a cutting master in a textile company and he got acquainted with one Sekar. The said Sekar borrowed a sum of Rs.3,00,000/- for which he executed a promisory note dated 23.06.2013 and also handed over a original sale deed. Subsequently, he did not repay the amount nor he took any care to get back the original sale deed and on enquiry, the petitioner came to know that the said Sekar had entered into a sale agreement with one Balamani which was registered as Document No.9945 of 2013 and it seems to be cancelled on 05.05.2014 and thereafter on the very same day, he entered into sale agreement with one Subramani. The petitioner also found that the said Sekar lodged a false complaint on 30.04.2013 before the respondent stating that the original title deed which was deposited as security with the petitioner was found missing. Thus, there was intention of cheating. Hence, the petitioner

lodged a complaint on 24.02.2015. Though the complaint has been assigned C.S.R.No.64 of 2015, till date no action has been taken. Hence, this petition.

3.The learned Additional Public Prosecutor would submit that the matter is purely civil in nature and only in order to give criminal colour, the complaint has been lodged with certain allegations and thus strongly opposed to grant direction.

4.I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor.

5.In view of the submissions made on either side, this Court directs the respondent to conduct enquiry on the complaint given by the petitioner which has been assigned C.S.R.No.64 of 2015 and dispose of the same in accordance with law, as early as possible.

6.With the above directions, the Criminal Original Petition is disposed of.

pri

-s/d-

Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Tirupur Rural Police Station,
Tirupur.
2. The Public Prosecutor
High Court, Madras.

+ 1 cc to Mr.K.Viknesh Karthick, Advocate SR 62873

sr(co)
prk8/12

WEB COPY

CrI.O.P.No.26838 of 2015