

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26880 of 2015

Ammasai

... Petitioner

Vs

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Tiruppur Town and District.
- 2.The Inspector of Police,
Perumanallur Police Station,
Tiruppur Town and District. ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent to register a case on the complaint dated 21.4.2014.

For Petitioner : Mr.C.Nagamuthu

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

ORDER

The present criminal original petition has been filed seeking a direction to the second respondent to register a case based on the complaint dated 21.4.2014.

2. In the petition, it is averred that the petitioner belongs to Arunthathiyar community and due to his poverty condition, he approached one Murugasamy and demanded loan of Rs.2,00,000/-. As per the demand of the said Murugasamy, the petitioner submitted his documents of house site. Thereafter, the said Murugasamy paid only a sum of Rs.1,70,000/- after deducting a sum of Rs.30,000/- towards broker commission, document charges and first month interest, etc. Since the petitioner was not in a position to pay the exorbitant interest of 36%, he requested the said Murugasamy to give time to pay the interest and capital. However, without the knowledge of the petitioner, the said Murugasamy sold his land to third party. Thereafter, the petitioner sold all his gold jewels and paid a sum of Rs.1,00,000/- to the said Murugasamy. On receipt of the

amount, the said Murugasamy demanded the balance of Rs.70,000/- with interest and promised him to re-transfer the property in the name of the petitioner. Believing the words, the petitioner paid a sum of Rs.70,000/- to the said Murugasamy. But, in spite of the same, he has not re-transferred the property. Hence, the present petition.

3. Learned Additional Public Prosecutor submitted that the petitioner has given complaint only to the Chief Minister's Cell and he has not given any complaint to the second respondent.

4. Considering the submissions made on either side, this Court directs the petitioner to lodge a complaint with the second respondent within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the second respondent is directed to conduct an enquiry on the complaint and if there are materials indicating commission of offence, he is also directed to investigate the matter and proceed further in accordance with law, as expeditiously as possible. This criminal original petition is disposed of accordingly.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sbi
To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Tiruppur Town and District.

2.The Inspector of Police,
Perumanallur Police Station,
Tiruppur Town and District.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.C.Nagamuthu, Advocate, sr.57767

Cr1.O.P.No.26880 of 2015

ad co
kra 27.11.2015