IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CRL.O.P.No.26922 of 2015

M.Mohammed Yaseen ..Petitioner

/vs/

1.The Inspector of Police,
Perambalur Police Station,
Perambalur,
Perambalur District.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Perambalur district,
Perambalur. ..Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondents to register the complaint given by the petitioner dated 09.10.2015 and investigate the same in accordance with law.

For Petitioner : Mr.C.Munusamy
For Respondents : Mr.C.Emalias, APP

O R D E R

This petition is filed seeking a direction to the respondents to register the case based on the complaint given by the petitioner dated 09.10.2015 and investigate the same in accordance with law.

2.It is seen that the petitioner is a permanent resident of Kottaimedu, Kallakurichi and he is doing business under the name and style of Mass Umra and Haj Service. There is a dispute between the petitioner and one Abdul Karim, Amina Bee, Kairunisha and Mimunabi. On 14.09.2015, the above said persons called the petitioner to Perambalur. Accordingly, the petitioner had gone to Perambalur in his Maruti Swift Car bearing Regn.No.TN 15 Y 9049 and on seeing the petitioner, the assailants namely, Farooq, Kaja and Mohammed Ali and five others persons attacked the petitioner with lethal weapons

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indiscriminately and they have forcibly obtained signatures in blank stamp papers, unfilled cheques and green sheets from the petitioner. Apart from that, they have taken the cheque book of the petitioner's wife, which is kept in the petitioner's car. Thereafter, they have taken the petitioner to the first respondent police station but, at the time, they have threatened the petitioner with dire consequences and they have stated that the petitioner could not do anything. But, the police officials did not take any action against the assailants. Hence, the petitioner has lodged a complaint on 09.10.2015. Since no action has been taken by the first respondent police till date, the petitioner has filed the present criminal original petition.

3.The learned learned Additional Public Prosecutor submitted that for the same set of allegation earlier the petitioner had lodged a complaint before the respondent police and after the enquiry, the same was closed. Now, the petitioner had lodged the present complaint on 09.10.2015 before the first respondent and the petition enqury is pending in C.No.377 of 2015. He further submitted that a counter complaint has been lodged against the petitioner on 07.11.2015 before the District Crime Branch, Perambalur, but the petitioner is not co-operating for enquiry.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and also perused the materials available on record.

5.In view of the submission made by the learned Additional Public Prosecutor, this Court directs the first respondent to conduct an enquiry on the complaint of the petitioner pending in C.No.377 of 2015, if enquiry was not conducted so far and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the first respondent is directed to proceed further in accordance with law, as early as possible. The Petitioner is also directed to co-operate for enquiry.

6.With the above direction, this petition is disposed of.

Sd/
ASSISTANT REGISTRAR(CO)

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SUB-ASSISTANT REGISTRAR

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To

1.The Inspector of Police,
Perambalur Police Station,
Perambalur,
Perambalur District.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Perambalur district,
Perambalur.

3.The Public Prosecutor,
High Court, Madras.

+1 CC to MR.C.Munusamy Advocate. SR.NO.63495

Crl.O.P.No.26922 of 2015

CO-PA
JD 15/12/2015

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