

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.27444 of 2015

K.Ramalingam

... Petitioner

Vs

1. The Superintendent of Police
Kanchipuram District
Kanchipuram

2. The Deputy Superintendent of Police
Guduvancherry

3. The Inspector of Police
Maraimalai Nagar Police Station
Chennai

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the third respondent to register a case based on the complaint dated 05.10.2015.

For Petitioner : Mr.A.Athimoolam

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 third respondent to register a case based on the complaint given by the petitioner dated 05.10.2015.

2. In the petition it has been stated that the petitioner and his wife Dhanalakshmi borrowed a sum of Rs.6 lakhs from one Bhuvaneshwari on the understanding that the petitioner has to pay a sum of Rs.18,000/- as interest for one lakh and it was also agreed that if the said interest is not paid, the same would be added to the principal. It is stated by the petitioner that till date the petitioner has paid a sum of Rs.22,21,000/- as interest to the accused and has also handed over the property document as collateral security. But, in spite of the same, the counter petitioner is frequently calling the petitioner and threatening the petitioner to pay more amount. Hence, the

petitioner lodged a complaint to the respondent police on the allegation that the counter petitioners are collecting Kanthuvatti. Since no action was taken on the said complaint, the present petition has been filed.

3. Today, when the matter is taken up for consideration, the learned Additional Public Prosecutor submitted that the matter was enquired into by the respondent police and the petitioner has withdrawn the complaint.

4. However, the learned counsel appearing for the petitioner denies the same. He would submit that the original documents are still with the counter petitioners.

5. In my considered opinion, since the petitioner has already withdrawn the complaint, this Court cannot give any direction to register the case. Hence, this petition is dismissed. However, the petitioner is at liberty to work out his remedy in the manner known to law.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

gpa

To

1. The Superintendent of Police
Kanchipuram District
Kanchipuram
2. The Deputy Superintendent of Police
Guduvancherry
3. The Inspector of Police
Maraimalai Nagar Police Station
Chennai
4. The Public Prosecutor
High Court, Madras.

+1 cc to M/s.A.Athimoolam, Advocate, sr.62580

Cr1.O.P.No.27444 of 2015

sk co, kra 30.11.2015