

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.27498 of 2015

A.Kalimuthu

... Petitioner

Vs

State rep by
Inspector of Police,
District Crime Branch,
Coimbatore.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to investigate the matter and register the case against the said persons in accordance with law on the basis of the complaint given by the petitioner dated 24.08.2015.

For Petitioner : Mr.M.N.Balakrishnan

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking a direction to the respondent to register the petitioner's complaint dated 24.08.2015 and investigate the same in accordance with law.

2. Though very many contentions have been raised in the petition, the learned counsel for the petitioner submitted that the petitioner has lodged a complaint as against one P.Mahalingam and Mr.Pattithurai @ Marimuthu alleging that they

have waylaid the lorry and took away the Cell Phone and sum of Rs.35,000/-. But, the said complaint was not registered so far. Hence, the petitioner has filed the present criminal original petition.

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

4. The learned Additional Public Prosecutor submitted that there is a dispute between the petitioner and the counter petitioner with regard to the payment of sale consideration.

5. In view of the submissions made on either side, this Court directs the petitioner to give a fresh complaint along with the copy of this order before the respondent police within a period of one week from the date of receipt of a copy of this order, and on receipt of the same, the respondent is directed to conduct enquiry and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the respondent is directed to proceed further in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vsm

To

1. The Inspector of Police,
District Crime Branch,
Coimbatore.

2. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.27498 of 2015

SAI (CO)
CA(27/11/2015)