

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Cr1.O.P.No.27647 of 2015

M.Gowrisankar

... Petitioner

Vs.

The Inspector of Police,
J.1 Police Station (Crimes),
Saidapet, Chennai 15.

... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to pass an order of direction directing the respondent to register the FIR on the basis of the complaint dated 18.10.2015.

For Petitioner : Mr.G.V.Sridharan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition is filed for a direction to the respondent to register the FIR on the basis of the complaint dated 18.10.2015.

2.In the petition it is stated that the petitioner is running a cycle stand in Saidapet Railway station and one Jayakumar @ Jainulabudeen who is a childhood friend of the petitioner approached the petitioner and sought for financial assistance of Rs.5 Lakhs promising to repay the said amount within a period of 45 days and since he is a childhood friend, the petitioner borrowed a sum of Rs.3,60,000/- from other friends and gave him the same on 24.04.2014. Thereafter, the said Jayakumar @ Jainulabudeen did not repay the same and when asked about the same, he threatened the petitioner. The petitioner in this regard, lodged a complaint dated 18.10.2015 with the respondent police, but no action has been taken so far. Hence, this petition.

3.Today when the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that the matter is purely civil in nature and only in order to give criminal colour, the complaint has been lodged with the allegation of being threatened and thus strongly opposed to grant direction.

4.In view of the submissions made by the learned Additional Public Prosecutor, this Court is of the view that the entire allegations made in the complaint do not constitute any cognizable offence and therefore, this Court is not inclined to give any direction in this petition and hence, this Criminal Original Petition is dismissed.

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Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Inspector of Police,
J.1 Police Station (Crimes),
Saidapet, Chennai 15.
 - 2.The Public Prosecutor
High Court, Madras.
- + 1 cc to Mr.G.V.Sridharan, Advocate Sr 62960.

सत्यमेव जयते

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