

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28007 of 2015

K.Ananth

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep.by the Commissioner of Police,
Poonamallee High Road,
Vepery,
Chennai 600 007.

2.The Inspector of Police,
Selaiyur Police Station,
Chennai-45.

... Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. seeking a direction to the respondents to register a
case on the complaint of the petitioner dated 08.10.2015 and
investigate the same in accordance with law.

For Petitioner : Mr.P.K.Panneer Selvam
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 respondents to register a case based
on the complaint of the petitioner dated 08.10.2015 and
investigate the same in accordance with law.

2.The case of the petitioner is that the petitioner was
employed in power industry as Engineer and and he was looking
for opportunity to invest his hard earned money and one of his
relative namely A.M.Rajan @ Rajendran, Son of A.Munusamy,
residing at No.11, harris Avenue, Raja Kilpakkam, Chennai, who
is a land broker by profession, had approached the petitioner
stating that the petitioner could buy a plot of land and so
that, the same will get appreciation in monetary value. The
above said A.M.Rajan @ Rajendran had shown the petitioner a
property bearing plot No.5-A, Sree Durgai Siddar Nagar,

Salamangalam Village, Sriperumbudur Taluk, Kancheepuram District, comprised in S.No.226/3A ad-measuring to an extent of 1815 sq.ft. and the uncle of the petitioner namely V.Durai Rajan had obtained registered power of attorney from the owner of the said land namely Edward John on 25.01.2007. By believing the words of A.M.Rajan @ Rajendran , the petitioner had paid a sum of Rs.10.60.500/- to him from 16.02.2014 to 26.06.2014. After payment of the above said amount, the above said A.M.Rajan @ Rajendran had shown the xerox copies of title deeds pertaining to the property Plot No.5-A, Sree Durgai Siddar Nagar, along with layout plan. On verification, the petitioner came to know that the layout is a fabricated document and that the original layout consist of several acres does not cover S.No.226/3A in which the alleged plot No.5A is said to be located. Thereafter, the petitioner had requested the said A.M.Rajan @ Rajendran for returning the amount of Rs.10,60,500/-. On repeated requests and demands made by the petitioner, the said A.M.Rajan @ Rajendran along with some rowdy elements had threatened the petitioner with dire consequences. In this regard, the petitioner has lodged a complaint before the respondent police. But till date, no action has been taken sofar. Hence, the petitioner has filed the present criminal original petition.

3.Today, when the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that the complaint was enquired into in detail and subsequently the same were closed on 12.09.2015 since the counter petitioner agreed to repay the above said misappropriated amount in two instalments. He has also produced a copy of the closure report for the perusal of this Court.

4.Since the complaint has already been closed, recording the submission made by the learned Additional Public Prosecutor, this criminal original petition is closed. However, the petitioner is at liberty to workout his remedy under Section 156(3) Cr.P.C., if he so desires.

ari

s/d-

Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

1.The Commissioner of Police,
Poonamallee High Road,
Vepery,
Chennai 600 007.

2.The Inspector of Police,
Selaiyur Police Station,
Chennai-45.

3.The Public Prosecutor,
High Court, Madras.

+ 2 ccs to Mr.P.K.Panneerselvam, Advocate SR 64637

msm(co)
prk18/12

Cr1.O.P.No.28007 of 2015



WEB COPY