

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.28022 of 2015

1.A.M.Purushothaman
2.S.Harikrishnan
3.K.Kuppuswamy
4.M.Kesavan

... Petitioners

Vs

1.State Rep. by
The Inspector of Police,
G1, Police Station,
Vepery, Chennai-600 007.

2.Stalin Prabhudas
3.Johnsi Stalin

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the first respondent herein to register the FIR basing on the complaint dated 04.07.2015 kept pending under CSR.No.677/CSR/G1X/15 dated 04.07.2015.

For Petitioners : Mr.G.Thangavel

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 first respondent herein to register a case based on the complaint of the petitioner dated 04.07.2015, which is kept pending under CSR.No.677/CSR/G1X/15, dated 04.07.2015.

2.It is seen in the affidavit that the first petitioner herein is working as a driver along with other petitioners for the past 10 years in the travel agency named as Travel Vaves, which is conducted by the second and third respondents. Now, the allegation against the petitioners is that the second and third respondents have been delaying and neglecting to pay the arrears of salary for the past 6 months.

On continuous demand made by the petitioners, the cheques were issued by the second and third respondents to the petitioners. When the cheques were presented before the concerned bank, the same were returned as "insufficient fund". Hence, the petitioners lodged a complaint on 04.07.2015 before the first respondent police against the second and third respondents. On the receipt of the complaint, C.S.R.No.677/CSR/GIX/15 dated 04.07.2015 has been assigned. But, no action has been taken so far. Hence, the present criminal original petition has been filed.

3. I have heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the first respondent.

4. The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioners, C.S.R.No.677/CSR/GIX/15 has been assigned and the matter is pending for enquiry.

5. In view of the submissions made by the petitioners as well as the Additional Public Prosecutor, this Court directs the first respondent Police to conduct enquiry on the basis of the complaint given by the petitioners dated 04.07.2015 in C.S.R.No.677/CSR/GIX/15 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. If no prima facie case is made out for registering the FIR, the respondent is directed to pass an appropriate order on the said complaint.

6. This criminal original petition is disposed of accordingly.

-s/d-
Assistant Registrar

True Copy

WEB COPY
Sub-Assistant Registrar

To

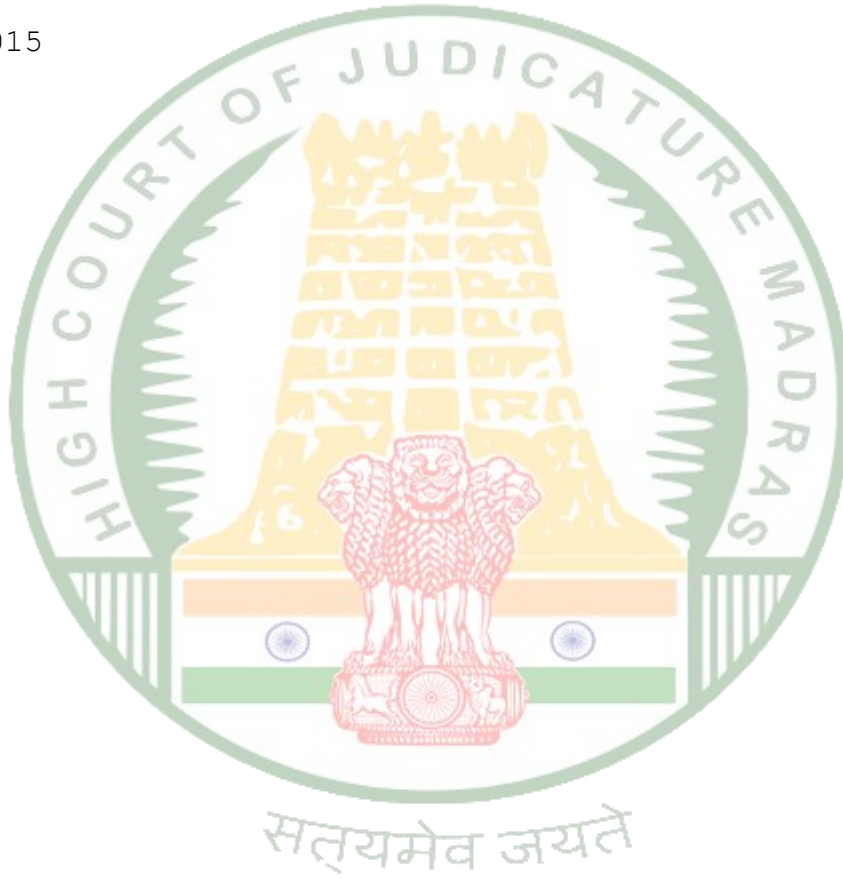
1. The Inspector of Police,
G1, Police Station,
Vepery, Chennai-600 007.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to M/S.G.Thangavel, Advocate sr.63995

Cr1.O.P.No.28022 of 2015

aa17/12/2015



WEB COPY