

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28090 of 2015

D.B.C.ENTERPRISES

REP. BY M.S.DHARAN HAVING OFFICE AT NO.
115/52 AL-BLOCK 4TH AVENUE (SANTHI COLONY
ROAD) ANNANAGAR CHENNAI - 40 ... Petitioner

Vs

STATE REP. BY
THE INSPECTOR OF POLICE K-10 KOYAMBEDU
POLICE STATION KOYAMBEDU CHENNAI - 107 ... Respondent

Criminal Original Petition filed under Section 482
Cr.P.C. seeking to direct the respondent to register the
petitioners complaint dated 29.07.2015 and take necessary
actions against M/s.Boopathy Travels for the loss of the
consignments of Bio Medical Reagents worth about Rs.1, 40, 000/-.

For Petitioner : Mr.A. R.Inbakumar
For Respondent : Mr.C.Emalias,
Additional Public Prosecutor.

O R D E R

The present petition has been filed to direct the
respondent to register the petitioner's complaint dated
29.07.2015 and take necessary actions against M/s.Boopathy
Travels for the loss of the consignments of Bio Medical Reagents
worth about Rs.1, 40, 000/-.

2. The case of the petitioner is that the petitioner is
running courier business in Chennai and acting as a franchisee
for Franch Express Courier. During the course of business, they
have taken consignment from Transasia Bio Medical Ltd., Mumbai,
having branch office at Porur, Chennai, to transport 10 boxes of
Bio Medical Reagents to Tirunelveli Government Medical College
Hospital, at Palayankottai, Tirunelveli, vide POD No.100362,
dated 14.7.2015. Out of 10 boxes, only 9 boxes were despatched
and one box worth about Rs.1,40,000/- was not received. Hence,
the petitioner lodged a complaint with M/s.Boopathy Travels
about the missing and non delivery of consignment. Inspite of

repeated requests made by the petitioner, no necessary action was taken for the recovery of the consignment. Hence, the petitioner lodged a complaint before the respondent police on 29.07.2015. Since no action was taken by the respondent till date, the petitioner came forward to file this petition.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

4. After considering the rival submissions and the averment made in the complaint, this Court is of the opinion that absolutely no cognizable offence is made out. Hence, this petition is dismissed.

kua

s/d-
Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To

1. THE INSPECTOR OF POLICE
K-10 KOYAMBEDU POLICE STATION
KOYAMBEDU CHENNAI - 107.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.A.R.Inbakumar, Advocate SR 63342

kgk(co)
prk15/12

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