

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2015

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28153 of 2015

A.Palani

... Petitioner

Vs

1. The Commissioner of Police,
Vepery, Chennai 600 007.
2. The State represented by,
Inspector of Police,
Tambaram Police Station,
Tambaram, Chennai 600 045. ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the 2nd respondent to register a case on the complaint of the petitioner dated 16.10.2015 given to the 1st respondent and forwarded to the 2nd respondent for investigation.

For Petitioner : Mr.P.Rathanavel

For Respondents : Mr.C.Emalias,
Addl. Public Prosecutor

O R D E R

The present Criminal Original Petition has been filed seeking a direction to the 2nd respondent to register a case on the petitioner's complaint dated 16.10.2015 given to the 1st respondent and forwarded to the 2nd respondent for investigation.

2. It is the case of the petitioner that due to financial urgency, he mortgaged his property situated at Door No.98, Plot No.39A, Tiruneermalai Road, Kadapperi Village, Tambaram to one Mr.Amar Chand Chordia for a sum of Rs.1,00,000/- by way of a registered Mortgage Deed, dated 01.10.2014 vide Document No.7342 of 2014 in the Sub Registrar Office, Tambaram, on the condition that he will pay the mortgagee the mortgaged amount along with interest thereon at the end of 36 months from the date of execution of the mortgage. Thereafter, a dispute arose with regard

to the repayment of the loan and one R.Prabakaran, Srinivasan and Ganesan came to the Fancy Stores run by his wife, demanded to pay a sum of Rs.3 lakhs immediately and pushed him and his wife out of the Fancy Store and threatened them. In this regard, the petitioner lodged a complaint dated 16.10.2015 to the respondent police. Since no action was taken on his complaint, the petitioner, having no other alternative remedy, has come up with the present Criminal Original Petition.

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

4. Considering the submissions made on either side, this Court is of the opinion that it is appropriate to direct the second respondent to conduct an enquiry on the petitioner's complaint dated 16.10.2015, if enquiry is not conducted so far, and proceed further in accordance with law, as early as possible.

This Criminal Original Petition is disposed of accordingly.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

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To :

1. The Commissioner of Police,
Vepery, Chennai 600 007.
2. The State represented by,
Inspector of Police,
Tambaram Police Station,
Tambaram, Chennai 600 045.
3. The Public Prosecutor,
High Court, Madras.

1 cc to Mr.P. Rathanavel, Advocate, S. 66747

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RSY (CO)
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