

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Crl.O.P.No.28156 of 2015

P.Arangasamy

... Petitioner

Vs.

1.The District Superintendent of Police,
Dharmapuri District,
Dharmapuri.

2.The Inspector of Police,
Harur Police Station,
Dharmapuri District.

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondents to register the complaint of the petitioner dated 08.12.2014 and investigate the same in accordance with law.

For Petitioner : Mr.S.K.Bharatmahan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition is filed for a direction to the respondents to register the complaint of the petitioner dated 08.12.2014 and investigate the same in accordance with law.

2.The petitioner herein executed a sale agreement in favour of one Kumar and according to the petitioner, the said sale agreement was executed as security in respect of a loan availed by him. But the counter petitioner is threatening and pressurizing the petitioner to pay exorbitant interest. Hence, he started to sell the property, but the counter petitioner is not returning the original deeds to the petitioner. Hence, he lodged a complaint on 08.12.2014, but till date no action has been taken. Hence, this petition.

3.Today, when the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that the

petitioner entered into sale agreement with one Kumar, the counter petitioner to sell the property on 16.05.2014 but thereafter, the petitioner has not come forward to sell the property, the said Kumar has filed a civil suit for specific performance in O.S.No.9 of 2015 before the District Munsif Court, Harur. Hence, the matter is purely civil in nature and therefore, the petitioner has to work out his remedy only before the Court in the pending suit.

4.Considering the submissions made by the learned Additional Public Prosecutor and the nature of the case, this Court is not inclined to give any direction as prayed for. Hence, based on the submissions made by the learned Additional Public Prosecutor, this Criminal Original Petition is dismissed.

pri

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The District Superintendent of Police,
Dharmapuri District,
Dharmapuri.

2.The Inspector of Police,
Harur Police Station,
Dharmapuri District.

3.The Public Prosecutor
High Court, Madras.

+ 2 ccs to Mr.K.KALAIKOVAN, ADVOCATE SR 65013.

KGK/CO
KR/22/12

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