

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28380 of 2015

C. Vasanthakumar

...Petitioner

Vs.

State, represented by
the Inspector of Police (Crime),
H-8, Thiruvottiyur Police Station,
Thiruvottiyur,
Chennai 600 019.

...Respondent

Criminal Original Petition filed under Section 482
Cr.P.C. seeking a direction to the respondent to register the
petitioner's complaint dated 18.11.2015 on the file of
respondent police.

For Petitioner : Mr.C. Venkatesan

For Respondent : Mr.C. Emalias
Addl. Public Prosecutor.

O R D E R

The present criminal original petition has been filed
seeking a direction to the respondent to register the
petitioner's complaint dated 18.11.2015 on the file of
respondent police.

2.In the petition, it has been stated that the
petitioner is doing Polythene Plastic bags printing business.
One Shyam Prashanth gave job work for printing polythene bags
including six colour flexo-graphic printing and the petitioner
did the job of printing work form 7.1.2015 to 4.7.2015 for total
charges of Rs.15,46,577/-. For that, the said Syam Prashanth
issued a cheque for a sum of Rs.3,95,908/- and the same was
encashed by the petitioner. The said Syam Prashanth failed to

pay the remaining balance amount of Rs.11,50,669/-. When the petitioner demanded the said amount, the counter petitioner refused to pay the same and threatened him with dire consequences. Hence the petitioner has given a complaint before the respondent on 18.11.2015 against the said Syam Prashanth, but till now, the respondent has failed to take any action.

3. Learned counsel for petitioner submitted that though the complaint was lodged on 18.11.2015, till date, the respondent police has not registered any case on his complaint. Hence, the present criminal original petition has been filed.

4. Learned Additional Public Prosecutor submitted that the matter appears to be a civil dispute between the parties with regard to recovery of amount and only in order to give a criminal colour, the allegation of being threatened was purposely introduced in the complaint. Hence he opposed for granting direction.

5. However, learned counsel for the petitioner denies the same and submitted that there was an allegation of threatening.

6. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

7. Irrespective of the submissions made on both sides, this Court directs the respondent to conduct enquiry on the complaint of the petitioner dated 18.11.2015, with regard to the allegation of being threatened and upon enquiry, if materials are gathered indicating any cognizable offence, the respondent shall proceed further in accordance with law as early as possible. If no prima facie case is made out for investigation, the respondent is directed to pass appropriate order on the complaint.

8. This criminal original petition is disposed of accordingly.

msr

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

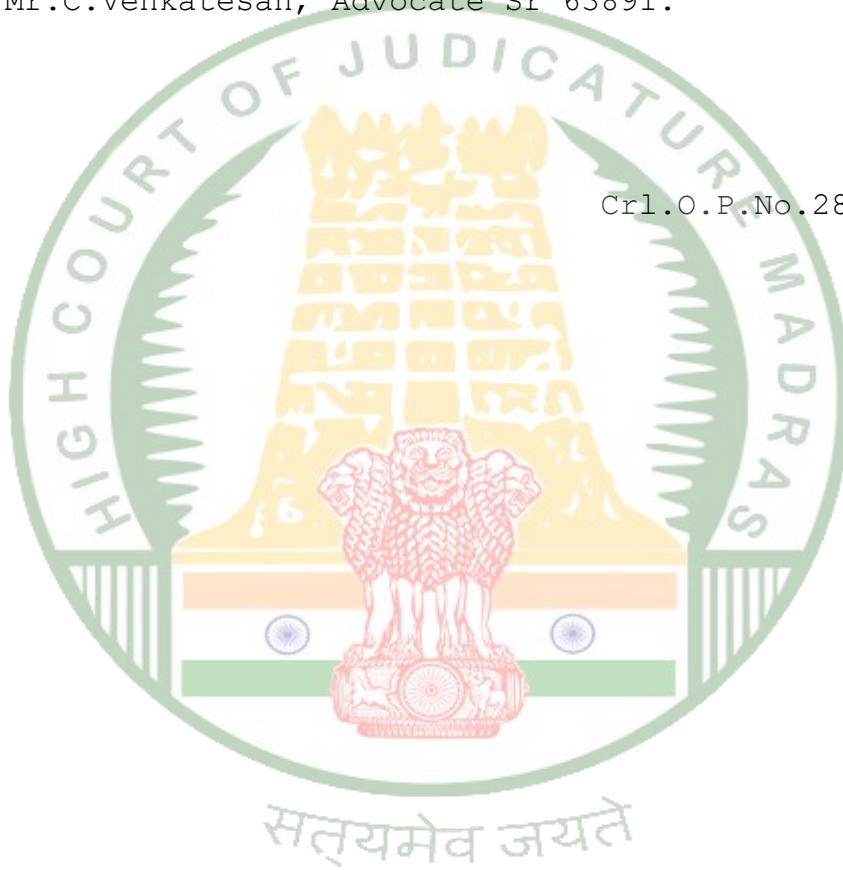
1. The Inspector of Police (Crime),
H-8, Thiruvottiyur Police Station,
Thiruvottiyur,
Chennai 600 019.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.C.Venkatesan, Advocate Sr 63891.

KR/16/12

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