

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.28460 of 2015

Marusamy

...Petitioner

Vs.

State of Tamil Nadu rep. By its
The Inspector of Police,
Annur Police Station,
Coimbatore
District.

...Respondent

Criminal Original Petition filed under Section 482 Cr.P.C.
to direct the respondent to register the petitioner's complaint
dated 09.09.2015 in CSR No.293/2015 dated 09.09.2015 on the file
of the respondent.

For Petitioner : Mr.Vimal B.Crimson

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

O R D E R

This petition has been filed to direct the respondent to
register the petitioner's complaint dated 09.09.2015 in CSR
No.293/2015 dated 09.09.2015 on the file of the respondent.

2. The petitioner is a native of Annur Taluk, Coimbatore.
After his marriage, he migrated to Kolekal situated at
Karnataka. However, he frequently visited his native place in
order to take care of his mother. After the death of his mother,
he insisted his brother to partition the property. One Selvaraj,
in order to obtain the share of the petitioner's property, with
an illegal manner, created a forged document and impersonated
the petitioner and executed a settlement deed in the name of
Selvaraj. Hence, the petitioner lodged a complaint. Though the
respondent has received the complaint, till date no action was
taken. Hence, this petition.

3. Learned Public Prosecutor submitted that the said Selvaraj, is none other than the brother of the petitioner. He further submitted that it is only a property dispute between the brothers and in order to give a criminal colour, the petitioner has given a complaint making the allegation of forgery of documents. He further submitted that C.S.R.No.293 of 2015 was assigned on the complaint given by the petitioner on 0909.2015.

4. Irrespective of the submissions made on either side, this Court directs the respondent police to conduct an enquiry on the complaint given by the petitioner dated 09.09.2015 and if the materials gathered indicates commission of any cognizable offence, the respondent police is directed to proceed further in accordance with law, as early as possible. If no prima facie case is made out, the respondent police is directed to pass appropriate orders on the complaint given by the petitioner.

5. This criminal original petition is disposed of accordingly.

vsi

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police,
Annur Police Station,
Coimbatore District.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.Vimal B.Crimson, Advocate Sr 64166.

KGK/CO
KR/22/12

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