

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.28515 of 2015

V.Pazhanisamy

... Petitioner

Vs

The Inspector of Police,
Kamanayakan Palayam Police Station,
Kamanayakan Palayam, Thirupur.

...Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking direction to the respondent to take the complaint of the petitioner dated 02/08/2015 on file, Register FIR, within the stipulated period under Sec 406, 420 and 506(II) of IPC.

For Petitioner : Mr.T.Jeevanantham

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor
O R D E R

The present criminal original petition has been filed seeking direction to the respondent to register the petitioner's complaint dated 02.08.2015 under Sec 406, 420 and 506(II) of IPC.

2. The petitioner herein made a request to the concerned authorities on 19.01.2011 expressing his willingness to let his building for running TASMAC shop. The petitioner has also made necessary alteration in his building to run TASMAC shop. Thereafter, there was no response. While so, one Durai, Samy and Soundarraj, employees of TASMAC approached the petitioner and assured the petitioner that they would make necessary steps to allot the TASMAC shop to the petitioner's building and demanded a sum of Rs.7,00,000/-, as they have good contact with the officials. The petitioner has paid a sum of Rs.3,00,000/- on 12.08.2012, Rs.3,00,000/- on 20.08.2012 and Rs.1,00,000/- on 29.08.2012 in front of one Govindarajan. When the petitioner approached the said employees of TASMAC shop, they refused to repay the money and threatened the petitioner with dire consequences. Hence, the petitioner lodged a complaint on 02.08.2015. On receipt of the said complaint, CSR has been assigned by the respondent police in CSR No.85 of 2015. Till date, no action has been taken on the said complaint. Hence, the present criminal original petition has been filed.

3. I have heard the learned Additional Public Prosecutor

appearing for the respondent.

4. Learned counsel for the petitioner submitted that there is an averment of threat to the petitioner in the complaint and hence, sought for a direction.

5. Irrespective of the said submissions made on either side, this Court directs the respondent police to enquire into the complaint in CSR.No.85 of 2015 and proceed further in accordance with law, as early as possible. If no prima facie case has been made out, the respondent police is directed to pass appropriate orders on the complaint.

This criminal original petition is disposed of accordingly.
Gya

Sd/-
Assistant Registrar (IV)

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector of Police,
Kamanayakan Palayam Police Station,
Kamanayakan Palayam, Thirupur.
2. The Public Prosecutor,
High Court, Madras.

+1 C.C. To MR.T.Jeevanantham, Advocate in SR.NO.65993

Cr1.O.P.No.28515 of 2015

KK(CO)
sd : 14/12/2015

WEB COPY