

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.11.2015

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.28595 of 2015

G.Balamurugan,
S/o Gajendran,
Proprietor of Sree Oneswarar Movie Makers,
Head Office:No.5,Dr.Ambedkar Salai,
Valasaravakkam,
Chennai-87. Petitioner

Vs

The Inspector of Police,
H-1, Washmenpet Police Station,
Chennai. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register the complaint dated 02.11.2015 and to take suitable action known to law against the accused persons.

For Petitioner : Mr.S.Balasubramanian
For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking a direction to the respondent Police to register the petitioner's complaint dated 02.11.2015 and to take suitable action against the accused person in the manner known to law.

2. The case of the petitioner is that the accused person namely Ms.Rajimoli is a cine actress, who was introduced by the petitioner as a Heroine in the picture 'Khandeshwaran' and the accused was engaged by means of a written agreement, dated 03.07.2015. The original name of the accused person is Ms.Rajimoli. She is native of Kerala and when she came to Tamil Movie industry, her name was changed as Chitralackha. According to the agreement, the accused is entitled to a sum of Rs.4,167/- per day as remuneration and she also received a sum of Rs.30,000/- in cash towards advance pursuant to agreement dated 12.06.2015. Therefore, the accused person attended shooting of the above said picture only for 5 days. A sum of Rs.1,22,400/- along with initial advance payment have been paid to the accused by the petitioner and also the accused person received a

sum of Rs.3,00,000/- on two occasions. After that on 30.10.2015, the accused person wantonly to cause damages neglected to give call sheet for shooting, even inspite of several occasions the petitioner approached the accused person to participate in the shooting. Hence, the petitioner lodged a complaint under Sections 405,406,418 and 415 of IPC r/w Section 34 of IPC before the respondent police on the allegation of breach of trust. But, no action has been taken sofar. Hence, the petitioner has filed the present criminal original petition.

3. The learned Additional Public Prosecutor appearing for the respondent submitted that the allegation in the complaint does not constitute any cognizable offence and he opposed to give a direction to the respondent police to register a case.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5. Considering the submissions made by the learned Additional Public Prosecutor, I am of the opinion that there is no need to give a direction to the respondent police to register a case and therefore, this petition is liable to be dismissed. Accordingly, this petition is dismissed. However, the petitioner is at liberty to workout his remedy in the manner known to law.

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Sd/-
Assistant Registrar (CS-VII)

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector of Police,
H-1, Washmenpet Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+2 C.C. To MR.S.Balasubramanian, Advocate in SR.NO.64715

Cr1.O.P.No.28595 of 2015

VS (CO)

sd : 09/12/2015