

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2015

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28691 of 2015

Mrs.Ammu

... Petitioner

Vs

State rep by
The Inspector of Police,
Teynampet Police Station,
Chennai.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent police to register FIR on the basis of the complaint dated 17.05.2015 given by the petitioner to the respondent.

For Petitioner : Mr.K.J.Saravanan
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 police to register FIR on the basis of the complaint dated 17.05.2015 given by the petitioner to the respondent.

2.The case of the petitioner is that the petitioner had obtained loan from the known persons namely, Purushothaman, Prema, Yogammal, Govinthammal, Selvi, Babyammal, Rani and Vasanthi. Even though the petitioner had paid interest more than the principal amount, the above said persons are demanding more money as interest again and again. At the time of availing loan, the petitioner agreed interest only at 5%. But, now they are demanding interest at 10%. When the petitioner refused to pay the exorbitant interest as demanded by the above said persons, they abused the petitioner in vulgar language, threatened to kill the petitioner and also harassed the petitioner by all ways. Further, one person namely, Purushothaman took the document pertaining to the property at Thiruvallur and he refused to return the document, until the petitioner pays interest as demanded by him. Hence, the petitioner lodged a

complaint before the respondent police. But, no action was taken so far. Hence, the present criminal original petition has been filed.

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

4.The learned counsel appearing for the petitioner submitted that the petitioner made a request to get back the document pertaining to the property of the petitioner from the counter petitioners and the same will be returned to the petitioner by the respondent police.

4. The learned Additional Public Prosecutor submitted that if a direction is given to the petitioner to give a fresh complaint, necessary action will be taken.

5. In view of the submissions made on either side, this Court directs the petitioner to give a fresh complaint to the respondent within a period of one week from the date of receipt of a copy of this order, and on receipt of the same, the respondent is directed to conduct enquiry with regard to the allegation of being threatened and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.

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s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police,
Teynampet Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.K.J.Saravanan, Advocate SR 65055

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