

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29073 of 2015

S.R.Prabhakaran

... Petitioner

Vs

State rep. by

1.Inspector of Police,
Vishnukanchi Police Station,
Kanchipuram District.

2.The District Superintendent
of Police,
Kanchipuram District,
Kanchipuram.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents to register a complaint, investigate and final report on the complaint of the petitioner made on 12.09.2015 before the respondents.

For Petitioner : Mr.V.Balu

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

ORDER

The present criminal original petition has been filed seeking a direction to the respondents to register the complaint given by the petitioner dated 12.9.2015, investigate the same and file the final report.

2. It is the case of the petitioner that he had sold his ancestral property for a sum of Rs.39,00,000/-. His friend Ashok Anand, who was working as a Manager in Karnataka Bank, Kancheepuram Branch induced him to deposit the said amount in his branch by promising him that he would get good return. Believing his words, the petitioner deposited a sum of Rs.41,00,000/- in the said bank. After 1-1/2 months, the said Ashok Anand approached the petitioner and told him that one Raghupathi, proprietor of Sakthi Pharmacy has applied for loan and within 2 or 3 months, the said loan would be ready. Further, he advised the petitioner to part with a sum of Rs.15,00,000/- to the said Raghupathi and he would stand as a guarantor for the said money. The petitioner also agreed the same.

After receiving the amount, the said Ashok Kumar started avoiding the petitioner. When the petitioner insisted him for payment, the said Ashok Kumar intimidated him. Hence, the petitioner lodged a complaint with the second respondent police on 12.9.2015. But, till date, no action was taken on the said complaint. Hence, the present petition.

3. Learned Additional Public Prosecutor submitted that the allegation made in the complaint will not constitute an offence and there is a money dispute between the parties. However, the complaint lodged by the petitioner dated 12.9.2015 has been assigned CSR Number as C.S.R.No.513 of 2015.

4. Considering the facts and circumstances of the case and considering the fact that the complaint lodged by the petitioner dated 12.9.2015 has been assigned CSR Number as C.S.R.No.513 of 2015, this Court directs the second respondent to conduct enquiry in C.S.R.No.513 of 2015 and dispose of the same in accordance with law, as early as possible, preferably within two months from the date of receipt of a copy of this order. This criminal original petition is disposed of accordingly.

sbi

-sd/-

ASSISTANT REGISTRAR

/ TRUE COPY /

Sub-Assistant Registrar

To

1. Inspector of Police,
Vishnukanchi Police Station,
Kanchipuram District.

2. The District Superintendent of Police,
Kanchipuram District,
Kanchipuram.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to MR.V.BALU Advocate SR.NO. 65887/2015

CrI.O.P.No.29073 of 2015

SR.[co]

RD 24/06/2015