

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29206 of 2015

Rajalakshmi

... Petitioner

Vs

The Sub-Inspector of Police (Crime)
Velachery Police Station,
Chennai 600 042.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking to file an FIR, investigate the petitioner's complaint dated 24.02.2015 and to apprehend the said P.R.Paulson and his aides who had committed the offences within the time frame fixed by this Court.

For Petitioner : Mr.B.Pratap

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

O R D E R

The present Criminal Original Petition is filed seeking to file an FIR, investigate the petitioner's complaint dated 24.02.2015 and to apprehend one P.R.Paulson and his aides, who had committed the offences.

2. In the affidavit accompanying the petition, the petitioner has stated that she was a tenant for several years under one P.R.Paulson in the 2nd and 3rd floors at No.34, PRP Complex, Sakthi Vijayalakshmi Nagar, 100 Feet By-Pass Road, Velachery, Chennai 600042. As the said Paulson repeatedly requested the petitioner to vacate the premises, the petitioner handed over possession of the same in a ready-to-occupy condition and requested Paulson to give back the Security Deposit of a sum of Rs.7,80,000/-.

3. The grievance of the petitioner is that though Mr.Paulson received possession of the said premises and promised to repay the Security Deposit within a short span of time, he did not repay the said amount and when the petitioner made repeated phone calls to Mr.Paulson, he did not respond to her. Hence, the petitioner lodged

a complaint to the respondent police on 24.02.2015 on the ground of cheating and breach of trust. According to the petitioner, though CSR was assigned vide CSR No.88/2015, till date, no action is taken on her complaint by the respondent police.

4. Heard the learned counsel for the petitioner as also the learned Additional Public Prosecutor appearing for the respondent.

5. In my considered opinion, the prayer made in this petition to apprehend the said P.R.Paulson and his aides is not legally sustainable, as it cannot be granted under Section 482 Cr.P.C. However, as CSR is assigned vide CSR No.88/2015, the respondent police is directed to conduct an enquiry and dispose of the case, as early as possible.

This Criminal Original Petition is disposed of with the above direction.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

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To :

1. The Sub-Inspector of Police (Crime)
Velachery Police Station,
Chennai 600 042.
2. The Public Prosecutor,
High Court, Madras.

1 cc to Mr.B. Pratap, Advocate, sr. 65911

Cr1.O.P.No.29206 of 2015

GJ (CO)
kk 23/12

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