

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.29302 of 2015

B.Prakash Kumar

... Petitioner

Vs

1. The Inspector of Police
B-1, Sivakanchi Police Station,
Kancheepuram District

2. The Superintendent of Police,
Kancheepuram District,
Kancheepuram

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent police to register a case as against the said persons based upon the complaint given by the petitioner on 21.09.2015.

For Petitioner : Mr.G.Mohanakrishnan

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

O R D E R

The present criminal original petition has been filed seeking a direction to direct the 1st respondent police to register a case as against the said persons based upon the complaint given by the petitioner on 21.09.2015.

2. The gist of the complaint is that the petitioner has borrowed a sum of Rs.14 ½ Crores by mortgaging six properties belonging to the petitioner. Now, the petitioner has repaid the entire amount along with interest. But the said Ajithkumar Mani is refusing the return of the amount, hence the petitioner has lodged a complaint.

3. The learned Additional Public Prosecutor submitted that on receipt of the complaint CSR No.661/2015 has been assigned and the matter is pending for enquiry.

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

5. Since the CSR No.661/2015 has been assigned and the matter is pending for enquiry, this Court directs the 1st respondent to conduct an enquiry on the complaint dated 21.09.2015 given by the petitioner and if there are materials indicating commission of offence, he is also directed to investigate the matter and if there is no prima facie case to register a complaint, the 1st respondent police is directed to pass appropriate order on the said complaint within a period of three months from the date of receipt of copy of this order.

6. This criminal original petition is disposed of accordingly.

ssd

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police
B-1, Sivakanchi Police Station,
Kancheepuram District
2. The Superintendent of Police,
Kancheepuram District,
Kancheepuram
3. The Public Prosecutor,
High Court, Madras.

+ 2 ccs to Mr.G.Mohanakrishnan, Advocate SR 66388

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