

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.29313 of 2015

M.Magesh

... Petitioner

Vs

The State rep.by
Inspector of Police,
R-11, Royal Nagar Police Station,
Chennai.

.... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to register a FIR against the culprits on the basis of the complaint dated 07.01.2015 pending in CSR.No.6 of 2015 before the Inspector of Police, R-11, Royal Nagar Police Station, Chennai and file a final report.

For Petitioner : Mr.S.Sathyaraj

For respondent : 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 respondent to register a FIR against the culprits on the basis of the complaint dated 07.01.2015 pending in CSR.No.6 of 2015 before the Inspector of Police, R-11, Royal Nagar Police Station, Chennai and file a final report.

2. In the petition, it has been stated that on 07.01.2015 one Subathra including three rowdies entered into the petitioner's house and threatened the petitioner with dire consequences by demanding a sum of Rs.30,000/-. Hence in the above said circumstances, the petitioner has lodged a complaint on 07.01.2015 with the respondent police and same was assigned with CSR.No.06 of 2015. But the respondent police has not conducted any enquiry. While so, again on 22.01.2015, the petitioner after closing the shop went for lunch in the afternoon. While so, the said Subathra and her husband broken the lock and stolen away articles worth about Rs.1,00,000/- from the petitioner's shop. Hence the petitioner has lodged a

complaint. Since CSR has been assigned and no action was taken till date, the petitioner has come forward with the present petition.

3. The learned counsel for the petitioner submitted that the said Subathra was tenant under the petitioner and after vacating the premises, this petitioner has not returned the advance amount. In this situation, the petitioner herein lodged the said complaint as against Subathra and another.

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

5. Considering the submissions made on either side, this Court directs the respondent police to conduct enquiry and if there are materials indicating commission of offence, he is directed to proceed further in accordance with law, as early as possible. If no prima facie case is made out to register the complaint, the respondent police is directed to pass an appropriate order on the said complaint in accordance with law.

6. This criminal original petition is disposed of accordingly.
ssd

-s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The State rep. by
Inspector of Police,
R-11, Royal Nagar Police Station,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr. S. Sathyaraj, Advocate SR 66282

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