

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CRL.OP.No.30010/2015

Manoharan

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Petitioner

Versus

The Sub Inspector of Police
Bhavanisagar Police Station
Sathyamangalam, Erode District.

..

Respondent

Criminal Original Petition filed under section 482 Cr.P.C., directing the respondent to register the complaint dated 13.10.2015, investigate the same within the stipulated period to be fixed by this Court.

For Petitioner : Mr.S.Parthasarathy

For Respondent: Mr.C.Emalias, APP

ORDER

This petition has been filed seeking a direction to direct the respondent to register the complaint dated 13.10.2015.

2. It is the case of the petitioner that on 05.09.2012, he alongwith one Nagendran, S/o K.Natarajan, started a partnership firm in the name and style of Kabhila Sarees by investing Rs.1,00,000/- (Rupees One Lakhs Only) each. When the assets reached to the tune of one Crore, the said Nagendran evaded to give profit in the business. Apart from that, the accused had also misused the cheque which was given during the business transactions and made the petitioner to face the criminal liability in STC.No.11534 of 2015. Hence, complaint had been lodged and since the same has not been taken into file, the petitioner is before this Court.

3. Learned Additional Public Prosecutor would submit that already a case under Section 138 of the Negotiable Instruments Act is pending against the petitioner and it appears that the present complaint had been lodged as a counter blast to the same. It is further submitted that on receipt of the complaint CSR No.103 of 2015 has been assigned.

4. Since already CSR No.103 of 2015 was assigned on the complaint given by the petitioner, the respondent police is directed to conduct an enquiry and upon enquiry, if the materials are gathered indicating any cognizable offence, he is directed to proceed further in accordance with law as early as possible. If no prima facie case is made out for registering the complaint, the respondent is directed to pass necessary orders on the said complaint.

5. The criminal original petition is disposed of accordingly.

smi

s/d-
Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

To

1. The Sub Inspector of Police
Bhavanisagar Police Station
Sathyamangalam, Erode District

2. The Public Prosecutor
High Court, Madras.

+ 1 cc to M/s.S.Parthasarathy, Advocate SR 68525

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सत्यमेव जयते

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