

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH
CRL.OP.No.30094/2015

K.Krishnasamy

..

Petitioner

Versus

1.The Assistant Commissioner of Police
Tiruppur, Tiruppur District.

2.The Inspector of Police [Crimes]
North Police Station, Tiruppur.

... Respondents

Criminal Original Petition filed under section 482 Cr.P.C., directing the respondents to register the petitioner's complaint dated 28.10.2015 made to the respondent immediately and to investigate the same in accordance with law.

For Petitioner : Mr.G.Shanmugam

For Respondents: Mr.C.Emalias, APP for R1

ORDER

The petitioner and his wife are running a Spinning Mill in the name and style of M/s.Sree Jayamalar Spinning Mills for the past 9 years and that the main job of the said Mill is to procure cotton from the other State and produce yarn and sell the said yarn in the local area. The petitioner came to know one Santhosh Kumar, the accused herein through Elangovan and Rajendran. The accused purchased yarn from the petitioner Spinning Mill to the tune of Rs.18,52,200/- and agreed to pay the said sum in four equal instalments. After payment of the 1st instalment, the accused committed default in payment. Upon approaching him, the petitioner was threatened with dire consequences by the accused. Hence, the petitioner gave a complaint to the 1st respondent on 28.10.2015, who in turn, forwarded the same to the 2nd respondent police on 04.11.2015, pursuant to which no action has been taken by the 2nd respondent. Aggrieved by the said in-action on the part of the 2nd respondent, the petitioner has approached this Court by way of filing the present petition.

2.Learned Additional Public Prosecutor submits that the dispute between the parties appears to be only with regard to recovery of money and matter appears to be civil in nature.

3. In view of the submission made by the learned Additional Public Prosecutor, the respondent is hereby directed to conduct enquiry on the complaint 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. In the course of enquiry, if no prima facie is made out or the matter is civil in nature, the respondent is directed to pass appropriate orders on the complaint made by the petitioner.

4. The criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Assistant Commissioner of Police
Tiruppur, Tiruppur District.

2.The Inspector of Police [Crimes]
North Police Station, Tiruppur.

3.The Public Prosecutor
High Court, Madras.

+1cc to Mr.G.Shanmugam, Advocate Sr.68560

ctg[co]
srg 29/12/2015

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