

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.03.2015

CORAM

THE HON'BLE MR. JUSTICE R.S.RAMANATHAN

Cr1.O.P.No.5705 of 2015

Malathi

..Petitioner

Vs.

1.The Commissioner of Police,
Chennai City Police Station,
Chennai.

2.The Inspector of Police,
H5, Police Station,
New Washermenpet,
Chennai-81

..Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C. praying to direct the second respondent to register the FIR based on the complaint dated 25.12.2014 in CSR No.900 of 2014 pending on the file of the respondent and investigate the same and to file the final report within stipulated period.

For Petitioner : M/s.M.Sathishkumar

For Respondents: Mr.M.Maharaja
Addl.Public Prosecutor.

O R D E R

This Petition has been filed under Section 482 Criminal Procedure Code, seeking direction upon the second respondent/police, to register a case on the complaint of the petitioner dated 25.12.2014.

2. It is submitted by the learned counsel appearing for the petitioner that the petitioner entered into an agreement of sale with one Arumugam dated 14.12.2014 for the purchase of the property for a sum of Rs.7,50,000/- out of which, a sum of Rs.6,50,000/- was paid and the petitioner was willing to pay the balance sale consideration on or before 18.12.2015. Whiles, one Suseela, who is the sister of vendor/ Arumugam along with nine persons came to her house and

attacked the petitioner and abused her and threatened the petitioner to go away from the house which was given, pursuant to the agreement of sale by the vendor Arumugam. Therefore, a complaint was registered.

3. It is submitted by the learned Additional Public Prosecutor that a suit in O.S.No.7419 of 2011 is pending between Suseela and Arumugam before the City Civil Court, Madras, seeking for injunction restraining the said Arumugam not to alienate or disturb the possession of the plaintiff. As per enquiry, it is found that the subject matter of the suit is an undivided share of the suit property. There is no cognizable offence has been made out. The parties have to work out their remedy before the civil court in O.S.No.7419 of 2011.

4. In view of the same, the criminal original petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kcd

To

- 1.The Commissioner of Police,
Chennai City Police Station,
Chennai.
- 2.The Inspector of Police,
H5, Police Station,
New Washermenpet,
Chennai-81
- 3.The Public Prosecutor,
High Court, Chennai 104.

VSN(CO)
EU 07.04.2015

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