

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2015

CORAM

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

Cr1.O.P.No.7382 of 2015

S.Ramesh

... Petitioner

vs.

1. The Inspector of Police,
Crime Record Bureau,
Vepery, Chennai-600 007.

2. The Inspector of Police,
E-1, Mylapore Police Station,
Chennai-600004.

... Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to direct the 2nd respondent to register the case based on the complaint dated 23.02.2015 for the offences committed by the said persons under Sections 182, 415, 418, 421, 463 and 468 of IPC.

For Petitioner : Mr.R.Chandrasudan

For Respondents: Mr.M.Maharaja

Additional Public Prosecutor

O R D E R

This petition has been filed, seeking a direction to the 2nd respondent to register the petitioner's complaint, dated 23.02.2015, and to investigate the case.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor, representing the respondent-police.

3. The petitioner filed a suit in C.S.No.537 of 2013 on the file of this court, against the respondents for recovery of Rs.25,75,000/- and obtained an order of attachment of the properties in Application No.536 of 2014.

3. It is stated that the documents relating to the said properties which were attached by this Court were handed over to the petitioner by the defendants 1 to 3. Nevertheless, they gave false

information to the police that the documents were found missing and obtained a certificate to that effect and appointed another power agent and sold the property under Document No.228 of 2015, dated 13.01.2015 and the sale was effected on the basis of the certificate obtained from the police by giving false information. Therefore, action has to be taken, according to him, if any sale has been effected. The sale is subject to the attachment and the petitioner is also entitled to move the Court for contempt or to take action against the defendants for selling the property, when the attachment is in force. Hence, no criminal offence is made out, the Criminal Original Petition is dismissed.

rrg/dn

-s/d-
Assistant Registrar()
Dt:6/4/2015

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Crime Record Bureau,
Vepery, Chennai-600 007.
 2. The Inspector of Police,
E-1, Mylapore Police Station,
Chennai-600004.
 3. The Public Prosecutor,
High Court, Madras.
- + 1 cc to Mr.R.Chandrasudan, Advocate, SR 17155

ku(co)
prk7/4

सत्यमेव जयते

Cr1.O.P.No.7382 of 2015

WEB COPY