

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.8723 of 2015

D.Udhayarani

.. Petitioner

Vs

1.The Commissioner of Police,
Coimbatore City,
Coimbatore.

2.The State rep by
The Inspector of Police,
Anti Land Grabbing Special Cell,
Coimbatore City.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 2nd respondent to register the complaint of the petitioner dated 08.03.2015 and investigate the same in accordance with law.

For Petitioners :Mr.S.Venkatesh

For Respondents :C.Emalias, Addl. Public Prosecutor.

ORDER

Seeking a direction to the second respondent to register the complaint of the petitioner dated 08.03.2015 and investigate the same in accordance with law, the petitioner has come up with this petition.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents Police.

3.On a complaint given by the petitioner, the respondent Police appear to have conducted enquiry. During the course of enquiry, it was found that the petitioner/complainant had mortgaged his property with the Thudiyalur Co-Operative Housing Society on 28.05.1999 and there after she was not able to pay the interest and principal. Therefore, the opposite party to whom the petitioner had given a Power of Attorney had taken the risk of executing a sale deed and thereafter, the opposite party has paid the principal and interest to the said Thudiyalur Co-Operative Housing Society, and have collected the documents. This is not a case where the opposite party have impersonated the petitioner or forged her signature.

4.The learned Additional Public Prosecutor submitted that the said complaint of the petitioner was enquired and closed by the respondents police and also submitted a copy of the closure report which was furnished to the learned counsel for the petitioner across the bar.

5.In view of the above, no positive direction can be issued to the respondents Police to register the case. This Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The Commissioner of Police,
Coimbatore City,
Coimbatore.

2.The Inspector of Police,
Anti Land Grabbing Special Cell,
Coimbatore City.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.S.Venkatesan, Advocate, SR.29437.

Kji(co)
krd 29/6

Cr1.OP No.8723 of 2015

सत्यमेव जयते

WEB COPY