



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.04.2015

WEB COPY

CORAM
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Cr1.O.P.(MD)No.6349 of 2015

K.Jawahar ... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Palani Town Police,
Dindigul District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to direct the respondents herein to forthwith take action on the complaint of the petitioner, dated 18.02.2015, investigate the same, file a final report and register the F.I.R.

For Petitioner : Mr.AR.L.Sundarasan,
Senior Counsel

For Respondents : Mr.K.Anbarasan
Government Advocate (Cr1.side)

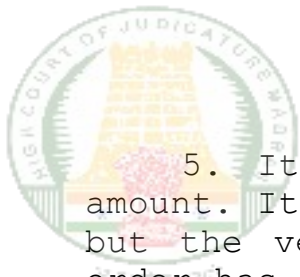
O R D E R

This Criminal Original Petition is filed for a direction to the respondents herein to register an F.I.R, on the complaint of the petitioner, dated 18.02.2015, investigate the same, file a final report in accordance with law.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Cr1. Side) for the respondents.

3.The case of the petitioner appears to be that despite the fact that Demand Draft has been given to the proposed accused and the same was encashed for a sum of Rs.92,00,000/- apart from the case of Rs.15,01,145/-, the vehicles have not been handed over to the petitioner.

4. In the status report filed by the second respondent, it has been stated that the proposed accused have given complaint against their Sales Assistant Manager and the same was taken into account and a case registered in Crime No.1543 of 2013 for the offences under Sections 468, 120(A), 477(A) of I.P.C against one Sathishkumar.



5. It is not in dispute that the petitioner has paid the amount. It is also not disputed that the amount has been received, but the vehicles have not been handed over. Merely because an order has been obtained not to harass the petitioner, it cannot be said that the case is not required to be registered, especially when a cognizable offence is made out.

6. Considering the above facts, the second respondent is directed to register the complaint given by the petitioner, dated 18.02.2015 and proceed in accordance with law.

With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(Per.ADmn)

/True copy/

Sub Assistant Registrar

pm

To

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Palani Town Police,
Dindigul District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.

+1cc to M/S.AL.GANTHIMATHI, ADVOCATE IN SR NO.21129

Crl.O.P.(MD)No.6349 of 2015

08.04.2015

RG.08.05.2015 2P.5C.