

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1015 of 2016

K.Arunkumar
Power Agentor
Mr.O.K.Augusthy,
Chairman of Managing Director,
of Industries(I) Ltd. Petitioner

Vs

1. The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram District.
2. The Inspector of Police,
Land Grabbing,
CCB, Kancheepuram District. Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. seeking a direction to the second respondent to register
FIR on the basis of the complaint dated 23.10.2015 given by the
petitioner.

For Petitioner : Mr.K.J.Saravanan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed
seeking direction to the second respondent to register FIR based
on complaint of the petitioner dated 23.10.2015.

2. The petitioner herein lodged a complaint as against
one Mathew Koshy, his wife Elise Fernandez and their daughters
Sheila Kendall and Shyla Mathew and others on the allegation
that the above said persons conspired with George Koshy,
G.Sivaprakash, Illanchezian and others and sold most of the
properties of Palmyra Springs Private Limited, which is

situated at Nariambakkam Village, Sriperumbudur Taluk and Ooty, by using fabricated documents. They are also trying to sell the remaining properties of the said Palmyra Springs Private Limited by using the said fabricated documents. Though the said complaint was lodged as early as 23.10.2015, till date, no action was taken. Hence, the present criminal original petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. When the matter was taken up, the learned Additional Public Prosecutor submitted that as on date the complaint given by the petitioner is pending enquiry with the respondent police, but, the petitioner is not cooperating with the enquiry.

5. In view of the submission made by the learned Additional Public Prosecutor, this Court directs the second respondent to conduct enquiry and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law as early as possible. If no prima facie case is made out, the second respondent is directed to pass an appropriate order on the said complaint. The petitioner is also directed to co-operate with the enquiry.

6. This criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS V)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

mrp

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Kancheepuram District.

2. The Inspector of Police,
Land Grabbing,
CCB, Kancheepuram District.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.K.J.Saravanan, Advocate, sr.3124

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