

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2016

Coram:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.No.14453 of 2016

M.Venkatesan

... Petitioner

Vs.

1. The Assistant Commissioner of Police,
Central Crime Branch,
Salem City, Salem.

2.The Inspector of Police,
Central Crime Branch,
Salem City, Salem.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondents to register the FIR based on the petitioner's complaint dated 11.06.2016 received by the respondents on 13.06.2016.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.C. Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondents to register the FIR based on the petitioner's complaint dated 11.06.2016 received by the respondents on 13.06.2016.

2. On a reading of the complaint dated 11.06.2016, it is seen that this petitioner had entered into a partnership agreement with one G.Sugumar on 19.04.2006 and they were running a business in the name and style of "Sun Paper Products".

3. It is stated by the learned counsel for the petitioner that the petitioner was the Managing Director of the said partnership Firm and that, he supplied the raw materials from his company to the partnership firm. It is further stated that in the year 2009, the said G.Sugumar had withdrawn himself from the partnership firm, on account of, his wife Renuga, who is also running a similar business. It is represented by the

petitioner that a sum of Rs.38,00,000/- is due to the petitioner. Now, the petitioner represented that on 09.06.2016, the said Sugumar abused the petitioner and threatened him that he would be liquidated.

4. On a reading of the complaint, it is seen that it does not inspire the confidence of this Court for issuing a direction as prayed for, inasmuch as the matter, absolutely, is a partnership dispute and in order to give a criminal colour, the petitioner stated that he was threatened by the said G.Sugumar, as aforesaid. Hence, no positive direction can be issued to the respondent police to register an FIR.

In view of the above, the criminal original petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. The Assistant Commissioner of Police,
Central Crime Branch,
Salem City, Salem.
- 2.The Inspector of Police,
Central Crime Branch,
Salem City, Salem.
- 3.The Public Prosecutor
High Court, Madras.

+1cc to M/S.C.Prabakaran, Advocate Sr.40162

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srg 17/08/2016