

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1504 of 2016

P.Manoharan

... Petitioner

Vs

The State rep. by
1. The Commissioner of Police,
Greater Chennai, Chennai.

2. The Inspector of Police,
K.3 Aminjikarai Police Station,
Chennai.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondents to register the FIR on the complaint dated 03.02.2015 and to conclude the investigation expeditiously in accordance with law.

For Petitioner : Mr.R.Sreerangan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the second respondent to register the FIR on the complaint dated 03.02.2015 and to conclude the investigation expeditiously in accordance with law.

2. The petitioner has lodged a complaint on 03.02.2015 as against one Rajamani and Karthik stating that in the year 2006, the said persons introduced themselves as mediators for arranging loan from Nationalised Banks and they promised to obtain a loan for Rs.one crore for the petitioner and they obtained Rs.one lakh for arranging the said loan and obtained the signature of the petitioner in 100 rupees stamp papers. They also produced a letter purported to be issued by the Punjab National Bank. But they have not arranged for any loan. Thereafter, the petitioner came to know that the above letter produced by them was a forged one and the said Karthik was not an employee in any bank. When the petitioner approached the above said persons for return of Rs.one lakh, they issued two

cheques drawn on United Bank of India dated 29.10.2008 and 12.11.2008, which could not be presented, since there was no Account Number printed on those two cheques. The above said persons cheated the petitioner and one Buvaneswai to the tune of Rs.3,50,000/-. Hence the petitioner lodged a complaint before the first respondent and later the said complaint was forwarded to the second respondent. But no action has been taken on the said complaint till date. Hence, the petitioner has come forward with the present criminal original petition.

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

4. The learned Additional Public Prosecutor submitted that the occurrence is of the year 2007 and as of now no complaint of the petitioner is pending before the second respondent and if the petitioner gives a fresh complaint, necessary action will be taken.

5. In view of the submissions made on either side, this court directs the petitioner to give a fresh complaint to the second respondent within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed 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. If no prima facie case is made out for registering the case, the second respondent is directed to pass an appropriate order on the complaint of the petitioner.

6. This criminal original petition is disposed of accordingly.

vrc

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

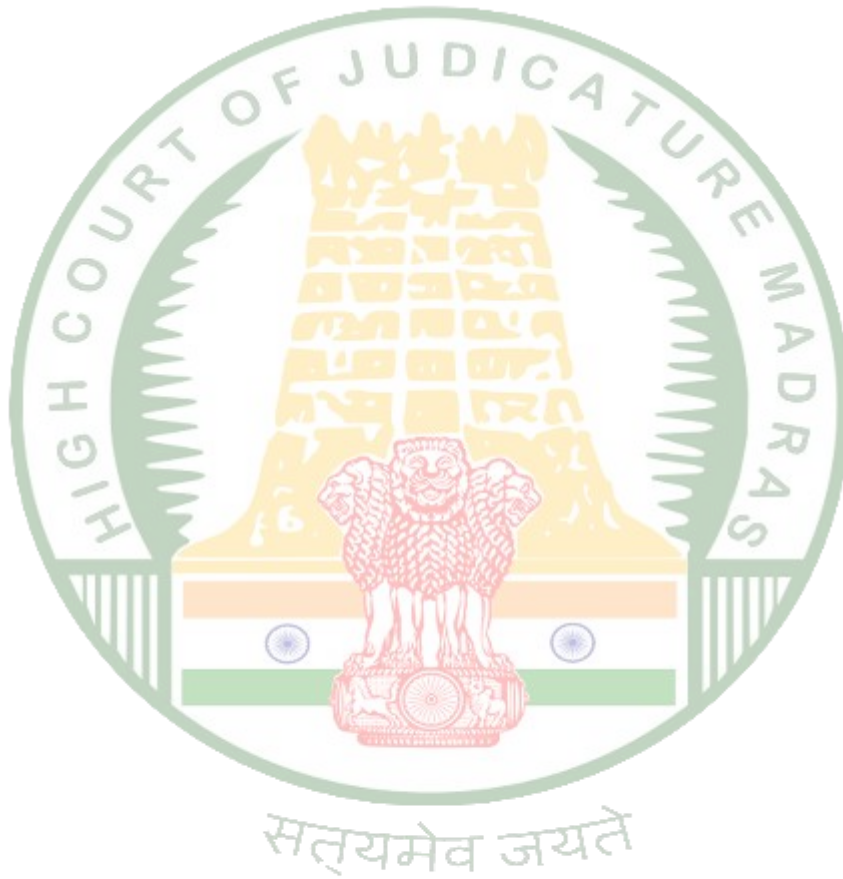
1. The Commissioner of Police,
Greater Chennai, Chennai.
2. The Inspector of Police,
K.3 Aminjikarai Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.R.Sreerangan, Advocate SR 4861

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