

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1603 of 2016

Saravanan

... Petitioner

Vs

State Rep.by
The Inspector of Police,
Crime, Arakkonam Town Police Station,
Arakkonam, Vellore District.

... Respondent

Criminal Original Petition filed under Section 482
Cr.P.C.to direct the respondent to register an FIR pending on
the file the respondent dated 29.07.2015.

For Petitioner : Mr.S.Senthilkumar
For Respondent : Mr.C.Emalias,
Additional Public Prosecutor.

O R D E R

The present criminal original petition has been filed to
direct the respondent to register the FIR pending on the file
the respondent dated 29.07.2015.

2. The case of the petitioner is that the petitioner's
brother viz., Suresh, who is residing at Arakkonam, took an auto
bearing No.TN.73.Y.3667 on a lease from one Samuvel Prabu Kumar.
Since the petitioner's brother was sick for some time, the
petitioner was driving auto for a period of two weeks. On
28.07.2015 at 8.00 p.m. petitioner parked the auto in front of
his brother's house. On the next day when the petitioner went
to take the said auto in the morning at 6.00 a.m., he found
that the said auto was not in the place where he had parked on
previous day night. Thereafter he searched for his auto in
several places, but he could not find out the auto. Hence,

the petitioner lodged a complaint with the respondent. On the receipt of the complaint, C.S.R.No.382 of 2015 dated 10.08.2015 has been assigned. But, no action has been taken so far. 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 respondent.

4.The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.S.R.No.382/2015 has been assigned and the matter is pending for enquiry.

5. In view of the submissions made by the learned counsel for the petitioner as well as the Additional Public Prosecutor, this Court directs the respondent Police to conduct enquiry on the basis of the complaint given by the petitioner dated 29.07.2015 in C.S.R.No.382/2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the respondent is directed to proceed further in accordance with law, as early as possible. if no prima facie case is made out for registering the FIR, the respondent is directed to pass an appropriate order on the said complaint.

6.This criminal original petition is disposed of accordingly.

sd/-
Assistant Registrar (Cs-VI)

/TRUE COPY/

Sub-Assistant Registrar

kkd
To

1.The Inspector of Police,
Crime, Arakkonam Town Police Station,
Arakkonam, Vellore District.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to MR.S.Senthil Kumar Advocate. SR.NO. 5048

Cr1.O.P.No.1603 of 2016

CO-VGI
JD 12/02/2016