

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1604 of 2016

H.A.Martin

... Petitioner

Vs

1. The Commissioner of Police,
City Police Commissioner Office,
Vepery, Chennai 600 007.
 2. The Inspector of Police,
Central Crime Branch,
Police Commissioner Office Campus,
Vepery, Chennai 600 007.
- ... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the second respondent to register a case based on the petition of the petitioner dated 22.06.2015.

For Petitioner : Mr.S.Radhakrishnan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct to the second respondent to register the complaint given by the petitioner dated 22.06.2015.

2. The petitioner is Bishop as well as the President of Tamil Evangelical Lutheran Church. The TELC is having lands and buildings all over Tamil Nadu and other States. The land situated in Survey No.124 to an extent of 4752 sq.ft. at Purasawalkam, Chennai, is in possession of TELC. The petitioner is paying water tax, property tax. He has also obtained electricity service connection in the name of TELC. Now on verifying the records with the Sub Registrar Office, Purasawalkam, Chennai, it is seen that one D.Arulraj and

Pugazhenthhi created fake organisation in the name of Krammer Sandagran Foundation and the same had been registered only with the intention to grab the land belongs to TELC. Further, the said D.Arulraj gave power of attorney to A.Pugazhenthhi registered on 17.04.2015, vide Doc.No.219 of 2015 before the Sub Registrar Office, Purasawalkam, Chennai and he sold the property of TELC to one M/s.7 Eleven Shipping Pvt.Ltd., for a sale consideration of Rs.2,90,00,000/- on 11.12.2015 vide Doc.No.5463 of 2015 registered before the Registrar, Purasawalkam through a Power Agent A.Rajkumar S/o.Manickam. Therefore, the petitioner has lodged a complaint before the respondent police. Since no action has been taken, 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 respondent.

4. The learned Additional Public Prosecutor submitted that the petitioner is not co-operating with the enquiry and he has not produced any documents required by the respondent for conducting the enquiry and hence, the complaint given by the petitioner has been closed.

5. The learned counsel for the petitioner submitted that he is prepared to submit all necessary documents and sought for a direction to the respondent police.

6. In view of the submissions made on either side, this court directs the second respondent to reopen the complaint given by the petitioner dated 22.06.2015, conduct an 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. The petitioner is directed to co-operate with the enquiry by producing all relevant documents.

7. This criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kkd

To

1. The Commissioner of Police,
City Police Commissioner Office,
Vepery, Chennai 600 007.
2. The Inspector of Police,
Central Crime Branch,
Police Commissioner Office Campus,
Vepery, Chennai 600 007.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Radhakrishnan, Advocate, S.R.No.5199

CrI.O.P.No.1604 of 2016

SAI (CO)
CA(04/03/2016)



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