

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.1616 of 2016

S.Natarajan

.. Petitioner

.Vs.

The State,

Represented by Inspector of Police,
Minijur Police Station,
Tiruvallur District
(CSR.No.289 of 2014)

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C. seeking a direction to the respondent to register a FIR on the basis of the complaint given by the petitioner dated 12.08.2015.

For petitioner : Mr.V.Raghavachari
For Respondents : Mr.C.Emalias
Addl.Public Prosecutor

O R D E R

The present Criminal Original Petition has been filed to direct the respondent to register a FIR on the basis of the complaint given by the petitioner dated 12.08.2015.

2. It is seen in the affidavit that the petitioner was doing real Estate business along with one subramani and Aandi from the year 2006. In the course of business, the petitioner had trusted the said Subramani and executed several general power of attorney in his favour and the petitioner had also invested more than a crore of rupees in the business. The said Subramani had misused the power of attorney's and transferred the properties to his name and relatives. The same was questioned by the petitioner with the said Subramani. While so, on 07.01.2015, at about 7.00 a.m. the said Subramani along with six persons trespassed into the house of the petitioner and threatened them. Hence the petitioner lodged a complaint with respondent police. Though C.S.R.No.299 of 2015 has been assigned on the complaint of the petitioner, 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 respondent.

4. The learned Additional Public Prosecutor submitted that on receipt of the complaint from the petitioner, C.S.R.No.299 of 2015 has been assigned and the matter is pending for enquiry, but the petitioner was not co-operate with the enquiry.

5. In view of the submissions made on either side, this Court directs the respondent to conduct enquiry on the complaint given by the petitioner dated 12.08.2015 in C.S.R.No.299 of 2015 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 for registering the FIR, the respondent is directed to pass an appropriate order on the said complaint. The petitioner is also directed to co-operate with the enquiry.

The Criminal Original Petition is disposed of .

kkd

-s/d-

Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Minijur Police Station,
Tiruvallur District.

2. The Public Prosecutor,
High Court, Madras.

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