

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.16579 of 2016

K.Ravishankar

.. Petitioner

Vs

The Inspector of Police,
Kadambathur Police Station,
Kadambathur, Thiruvallur District... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to register the FIR based on the complaint dated 23.07.2016.

For Petitioner :Mr.N.Rajendran

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking for a direction to the respondent to register an FIR based on the complaint dated 23.07.2016 given by the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. Today, Mr.A.Pandian, Special Sub- Inspector, B-3, Kadambathur Police Station, Thiruvallur District is present before this Court.

4. The learned Additional Public prosecutor submitted that the police have not received the complaint dated 23.07.2016 and that, the petitioner's father Kalathy had given a complaint dated 26.07.2016, in which, petition enquiry was conducted in CSR No.148 of 2016 and the same has been closed on 29.07.2016 on the undertaking given by the opposite party Mani and Pasuran that they were not responsible for the alleged attempt to commit suicide by Kalathy and that, they will not disrupt Kalathy in future. Kalathy appears to have given a statement dated 05.08.2016 to the police agreeing to withdraw the complaint, on the strength of assurance given by the said Pasuran and Mani.

5. The learned counsel appearing for the petitioner submitted that Kalathy was forced by the police to give a statemet on 05.08.2016 agreeing to withdraw the complaint, on the strength of the assurance statement given by Pasuran and Mani. On the statement given by Kalathy, petition enquiry in CSR No.148 of 2016 has been closed by the Sub Inspector of Police, B3, Kadambathur Police Station.

6. This Court is not satisfied with the enquiry conducted by the Sub Inspector of Police, B-3, Kadambathur Police Station and therefore, the closure report is set aside and the Inspector of Police, B-3, Kadambathur Police Station is directed to conduct fresh enquiry and find out that if Mani and Pasuran had charged exorbitant interest as alleged by Kalathy. After conducting enquiry, it is open to the Inspector of Police, B-3, Police Station, Kadambathur Police Station on either register an FIR and take action in accordance with law or close the case, with due intimation to the petitioner.

With the above direction, the criminal original petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police,
Kadambathur Police Station,
Kadambathur, Thiruvallur District.

2. The Addl.Public Prosecutor,
High Court, Madras.

+2 cc to Mr.A.Punithavanan. advocate, sr.44955.

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