

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.1667 of 2016

D.Baskar

... Petitioner

Vs

1.The Commissioner of Police,
Adhithanar Road,
Egmore, Chennai-2.

2.The Inspector of Police,
S.13 Police Station,
Chrompet, Chennai-44.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents to register the complaint of the petitioner dated 6.10.2015 in accordance with law.

For Petitioner : Mr.S.V.Vijay Prashanth

For respondents: Mr.C.Emalias,
Addl.Public Prosecutor

ORDER

The present criminal original petition has been filed seeking a direction to the respondents to register the complaint of the petitioner dated 6.10.2015 in accordance with law.

2. It is the case of the petitioner that he obtained housing loan of Rs.89,44,000/- with interest at the rate of 14.25% p.a. from one M/s.Sundaram BNP Paribas Home Finance Limited for purchase of a property at Pallavaram. Out of the total amount of Rs.89,44,000/- the said company paid a sum of Rs.86,00,000/- to the vendor of the property. After that, the said company stated that the remaining amount of Rs.3,43,693/- was paid in favour of Kotak Mahindra Mutual Life Insurance for taking insurance in the name of the petitioner with the said Kotak Mahindra Mutual Life Insurance. But, during September, 2015 when the petitioner went to settle the loan dues, he was shocked to know that there is no insurance policy taken by the said company with Kotak Mahindra Mutual Life Insurance. After

repeated letters, the petitioner was informed that his insurance policy was rejected on medical grounds. Hence, the petitioner lodged a complaint with the respondent police. But, till date, no action was taken on the said complaint. Hence, the petition.

3. Today, when the matter was taken up for consideration, learned Additional Public Prosecutor submitted that on the basis of the complaint given by the petitioner dated 6.10.2015, the second respondent police conducted a detailed enquiry and since the enquiry reveals that no cognizable offence was made out to register FIR, the said complaint was closed. Thus, he sought for dismissal of the petition.

4. Since the complaint given by the petitioner dated 6.10.2015 has been closed, nothing survives in this petition. Hence, the present criminal original petition is dismissed. However, the petitioner is at liberty to work out his remedy in a manner known to law, if he is so advised. The respondent is directed to furnish a copy of the closure report to the petitioner within a period of one week from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Commissioner of Police,
Adhithanar Road,
Egmore, Chennai-2.

2.The Inspector of Police,
S.13 Police Station,
Chrompet, Chennai-44.

3.The Public Prosecutor,
High Court, Madras.

+ 2 ccs to Mr.S.V. Vijay Prasanth, Advocate SR.5171

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GK(CO)

EU 12.02.16