

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2016

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

CrI.O.P.No.16810 of 2014

GAJALAKSHMI

... PETITIONER

Vs.

THE INSPECTOR OF POLICE
E5, THIRUVERKADU POLICE STATION,
CHENNAI.

... RESPONDENT

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent police to register the FIR accordance with law based on the complaint given by the petitioner herein before the E5 , Thiruverkadu Police Station Complaint dated 27.7.2011.

For Petitioner : Mr.A.Sakthivel

For Respondent : Mr. V.Arul,
Government Advocate [Criminal Side]

O R D E R

This petition has been filed to direct the respondent police to register the FIR in accordance with law based on the complaint given by the petitioner dated 27.7.2011.

2. The case of the petitioner is as follows:-

One Rajasekaran sold the property in Plot No.58-A, Sri Abirami Nagar, Thiruverkadu, to him. When he wants to fence and construct a house, the neighbouring plot owners objected the same stating that it is a pathway as per the plan. Therefore, he gave a complaint to the respondent police against Rajasekaran and the said Rajasekaran filed anticipatory bail petition before this Court and the matter was referred to mediation. In the mediation, the above said Rajasekaran agreed to pay a sum of Rs.13,00,000/- as a full and final settlement in three instalments. But he paid Rs.6,00,000/- and for the remaining amount he gave a cheque, but the cheque was dishonoured. Hence, the petitioner has given the complaint against the said Rajasekaran, as if he cheated him. Since no action was taken, the petitioner has come forward with the present petition.

3. Heard the learned counsel for the petitioner and the learned Government Advocate [Criminal Side] for the respondent and perused the materials placed on record.

4. Admittedly, there was mediation between the parties, where the parties had agreed to settle the dispute with some terms. But, the agreed terms were not fulfilled. In such circumstances, it is always open to the petitioner to approach the civil forum for recovery of money and the remedy is not lying before the respondent police.

5. With the above observation, the Criminal Original Petition is dismissed.

Sd/-
Asst.Registrar (CS J)

/true copy/

Sub Asst. Registrar

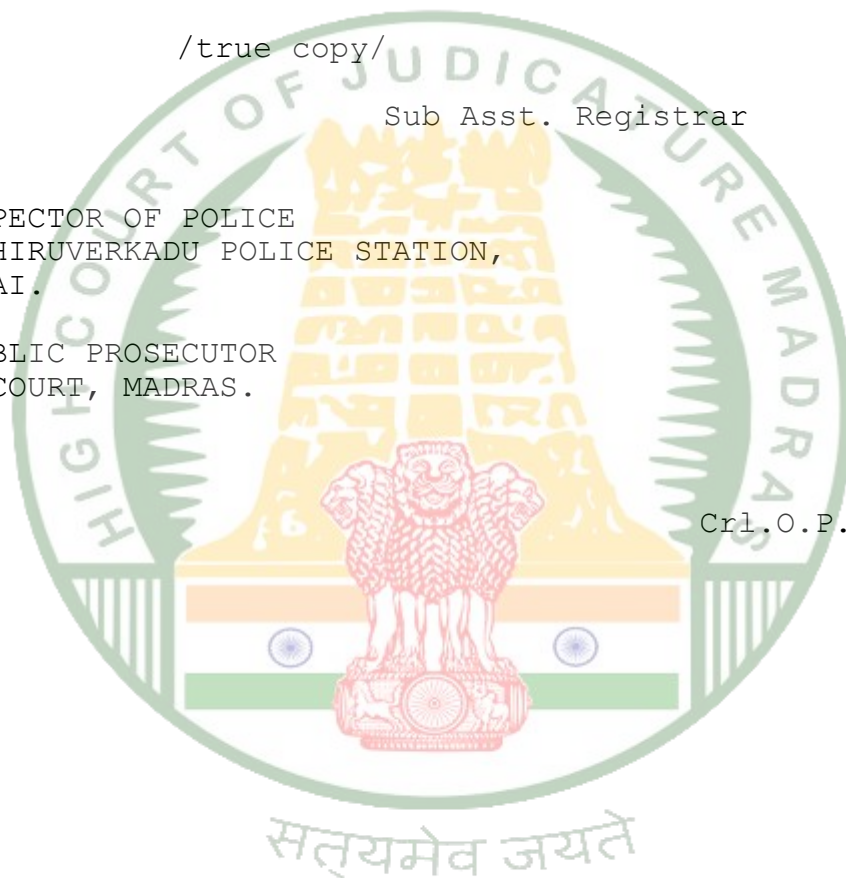
To

1. THE INSPECTOR OF POLICE
E5, THIRUVERKADU POLICE STATION,
CHENNAI.

2. THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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