

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.28689 of 2015

Raju @ Rajaiyan

... Petitioner

Vs

1. State, rep. by
The Inspector of Police,
Crimes, Tiruvarur Town Police
Station,
Tiruvarur.

2. The Superintendent of Police,
Tiruvarur District,
Tiruvarur.

... Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. to direct the first respondent to register the complaint
dated 20.8.2015 as FIR investigate the same.

For Petitioner : Mr.S.Swamidoss Manokaran

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

ORDER

The present criminal original petition has been filed
seeking a direction to the first respondent to register the
complaint dated 20.8.2015 given by the petitioner and
investigate the same.

2. It is the case of the petitioner that he was one of
the members of the Thiruvarur Lorry Owners Association and the
said association was registered under the Tamil Nadu Societies
Registration Act. The said association was smoothly carrying on
day-to-day activities for some years and thereafter, the elected
office bearers started to swindle the money without filing
proper audited accounts and placed the statement of accounts in
the Annual General Body Meeting. When the election was opposed,
the office bearers were duly nominated by engaging anti-social
elements. When the said association was dissolved in the year
2011 itself, the association through its office bearers

collected the subscription fee from the members, claiming to be the elected members of the association and misappropriated the same. Hence, the petitioner lodged a complaint with the first respondent police on 20.8.2015. But, till date, no action was taken on the said complaint. Hence, the present petition.

3. Learned Additional Public Prosecutor submitted that on the complaint given by the petitioner, an enquiry was conducted by the first respondent police and after enquiry, the said was also closed. He has also produced the copy of the closure report.

4. Since the complaint given by the petitioner was already closed, nothing survives in this petition.

5. In view of the submission made by the learned Additional Public Prosecutor that on the complaint given by the petitioner, an enquiry was conducted by the first respondent police and the same was closed, the 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 first respondent is directed to serve a copy of the closure report to the petitioner within a period of one week from today.

sbi

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Crimes, Tiruvarur Town Police
Station,
Tiruvarur.

2. The Superintendent of Police,
Tiruvarur District,
Tiruvarur.

3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.S.Swamidoss Manokaran, Advocate SR 66

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