

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29408 of 2015

K.S.Shanmugam

... Petitioner

Vs

1. The Superintendent of Police,
District Police Office,
Sathuvachari, Vellore,
Vellore District.

2. The Inspector of Police,
Thirupathur Town Police Station,
Vellore District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents herein to register a case on the petitioner's complaint to the first respondent in Pet.No.21/SPG/SB/2015 dated 26.6.2015.

For Petitioner : Mr.V.Karthikeyan

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 a case based on the petitioner's complaint in Pet.No.21/SPG/SB/2015 dated 26.6.2015.

2. It is the case of the petitioner that he is a Cinema Financier. On lease agreement with the theatre owners, he will deposit the charges with the distributor of a film and screen the same in the theatre for which, the theatre owner will share the collection profit according to the agreement. During the course of business, one Guru Seenivasan approached him stating that he is having leasehold right to screen the films in Meenakshi Theatre, Thirupathur and the owner of the said theatre viz., Sami Chettiyar has also given a letter to that effect. Hence, the petitioner entered into an agreement for screening

the films in the said theatre and deposited a sum of Rs.18,00,000/- for screening the film. However, after the film being screened, the owner of the theatre refused to pay the collection. When the petitioner approached the said Guru Seenivasan, he has also refused to make the payment. Hence, the petitioner lodged a complaint with the first respondent and the same was forwarded to the second respondent for investigation. But, till date, no action has been taken on the said complaint. Hence, the petition.

3. Learned Additional Public Prosecutor submitted that the petitioner is not cooperating for enquiry.

4. Considering the facts and circumstances of this case, this Court directs the second respondent to conduct an enquiry on the petitioner's complaint in Pet.No.21/SPG/SB/2015 dated 26.6.2015 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, the second respondent is directed to pass appropriate orders on the said complaint. The petitioner is also directed to cooperate with the enquiry. The criminal original petition is disposed of accordingly.

sbi

s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
District Police Office,
Sathuvachari, Vellore,
Vellore District.
2. The Inspector of Police,
Thirupathur Town Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.S.V.Karthikeyan, Advocate SR 306

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