

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.30613 of 2015

D.Bharathi Mohan

... Petitioner

Vs

1. The Commissioner of Police,  
Coimbatore City,  
Coimbatore - 641 018.

2. The Assistant Commissioner of Police,  
City Crime Branch (Crimes),  
Coimbatore.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register the complaint of the petitioner dated 14.12.2015 and investigate the case strictly in accordance with law, within a time frame.

For Petitioner : Mr.G.Bala and Daisy

For Respondents : Mr.C.Emalias  
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the respondent to register the complaint of the petitioner dated 14.12.2015 and investigate the case strictly in accordance with law, within a time frame.

2. The petitioner herein has lodged a complaint as against one GKS Selvakumr, S.Devaraj and R.Rajan stating that the said persons created forged documents by forging the signature of the petitioner and sold the shares of the petitioner to one Velusamy. But no action was taken by the respondents on the said complaint till date. Hence, the petitioner has come forward with the present Criminal Original Petition.

3. I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent.

4. The learned Additional Public Prosecutor submitted that no complaint of the petitioner is pending before the respondents. He further submitted that a petition filed by the petitioner is pending before the Company Law Board in C.P.No.86 of 2015.

5. In view of the submissions made on either side, this court directs the petitioner to give a fresh complaint to the respondent along with a copy of this order within one week from the date of receipt of a copy of this order. On receipt of the said complaint, the respondent is directed conduct enquiry with regard to the allegation of forgery made by the counter petitioners 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 and if no prima facie case has been made out, the respondents are directed to pass an appropriate order on the complaint of the petitioner.

6. This criminal original petition is disposed of accordingly.

vrc

s/d-  
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1. The Commissioner of Police,  
Coimbatore City,  
Coimbatore - 641 018.
2. The Assistant Commissioner of Police,  
City Crime Branch (Crimes),  
Coimbatore.
3. The Public Prosecutor,  
High Court, Madras.

+ 1 cc to M/s.G.Bala & Daisy, Advocate SR 58

sr(co)  
prk20/1

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