

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.1.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1905 of 2016

A.P.Kaninadar

...

Petitioner

Vs

1. The Commissioner of Police,
Veppery,
Chennai.

2. The Inspector of Police,
S-7, Madipakkam Police Station,
Chennai.

...Respondents

Prayer: Criminal Original Petition filed under section 482 of Cr.P.C., to direct the 2nd respondent to register a case on the basis of the complaint dated 19.08.2015 given by the petitioner and investigate the matter in accordance with law.

For Petitioner : Mr.V.Karnan

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

ORDER

The petitioner has come forward with this Criminal Original Petition seeking for a direction to direct the respondent to register a case on the basis of the complaint dated 19.08.2015 given by the petitioner and investigate the matter in accordance with law.

2. In the petition, it was stated that the petitioner is a rice merchant and he is doing wholesale rice business. While so on 10.5.2014, the petitioner has arranged 680 rice bags weighing each 25 Kgs from Sri Ramachandran Rice Mill and M.S.Industries, Raycur, totalling worth about Rs.10,16,640/- to transport the same to M/s Guru Traders, through a broker Chengaiyya. Later, he was informed that the goods were not reached its destination. On enquiry, he came to know that the owner of Guru Traders viz., Madhavan and his friend Karunakaran, owner of M/s.Podhigai Foods, Chennai, with an ill intention, conspired together, unloaded the goods sent by the petitioner in the godown of M/s Podhigai foods owned by the said

Karunakaran. At the time of enquiry, the said Karunakaran admitted his guilt and agreed to pay Rs.10,16,640/-, being the value of the goods and based on his undertaking, he was left out by the police. Now whenever the petitioner is approaching the said karunakaran for payment of money, he has been evading from making payment. On 11.8.2015, when the petitioner approached the said Karunakaran demanding payment of money, he along with his henchmen , abused the Petitioner in filthy language and also threatened him with dire consequences. Hence the petitioner lodged a complaint before the 2nd respondent on 19.08.2015, but till date, no action has been taken to register the same. Hence the petitioner is before this Court.

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

4. Learned counsel for the petitioner submitted that though the complaint was lodged on 19.08.2015, till date, no action has been taken. Hence, the present criminal original petition has been filed.

5. Learned Additional Public Prosecutor submitted that on receipt of complaint, the same has been assigned in C.S.R.No.555 of 2015 .

6. From the facts and circumstances of the case, I find that the complaint lodged by the petitioner has been assigned CSR number as C.S.R.No.555 of 2015. Hence, this Court directs the 2nd respondent to conduct enquiry in C.S.R.No.555 of 2015 and proceed further in accordance with law as early as possible.

7. The criminal original petition is disposed of accordingly.

सत्यमेव जयते
Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police,
Veppery,
Chennai.
2. The Inspector of Police,
S-7, Madipakkam Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.V.Karnan, advocate Sr.5722

Crl.O.P.No.1905 of 2016

vd(CO)
srg(16/02/2016)



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