

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.203 of 2016

S.Sahadevan

... Petitioner

Vs

State Rep by

The Inspector of Police,

E-7, Ponneri Police Station,

Ponneri, Thiruvallur District.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C. seeking a direction to the respondent to register a case and to take necessary action against the Counter Party on the complaint of the petitioner dated 21.12.2015 vide CSR No.271 of 2015 and investigate the same in accordance with law and file a report before this Court within a time to be fixed by this Court.

For Petitioner : Mr.S.Ambigapathi

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct to the respondent to register a case and take necessary action against the Counter Party on the complaint of the petitioner dated 21.12.2015 vide CSR No.271 of 2015 and investigate the same in accordance with law and file a report before this Court within the time as fixed by this Court.

2. The petitioner purchased the lands comprised in Survey No.32/2 at Vannipakkam Village, Ponneri Taluk, Tiruvallur District measuring an extent of 1.24 Acres through a real estate broker one D.Vignesh @ Vicky for a sale consideration of Rs.48,36,000/-. The petitioner paid a sum of Rs.1,00,000/- to the said D.Vignesh @ Vicky towards 2% commission as demanded by him. Even after the receipt of the said commission, the said Vignesh @ Vicky made several demands and the petitioner paid a total sum of Rs.5,00,000/- to him by way of loan. Whenever the petitioner demanded the said Vignesh @ Vicky to repay the amount, he refused to repay the amount and threatened the petitioner that he will not allow the petitioner to do the

business in the land purchased by him. Therefore, the petitioner lodged a complaint before the Inspector, P.5 M.K.B. Police Station. In the enquiry on the said complaint, the said Vignesh @ Vicky gave an undertaking that he will not interfere in the business of the petitioner. Whiles, the said Vignesh @ Vicky lodged a false complaint against the petitioner before E.1 Ponneri Police Station stating that the petitioner owes of sum of Rs.9 lakhs to him. During the enquiry of the said complaint, the petitioner came to know that the said Vignesh has fabricated a document as though the petitioner had executed an agreement for payment of Rs.9,00,000/-. Immediately, the petitioner lodged another complaint on 27.12.2015 before the respondent against the said D.Vignesh @ Vicky for taking necessary action for creating fabricated document. Though C.S.R.No.271 of 2015 has been assigned on the complaint of the petitioner, no action was taken 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 on receipt of the complaint from the petitioner, the respondent has assigned C.S.R.271 of 2015 on the said complaint and the matter is pending for enquiry.

5. In view of the submissions made on either side, this court directs the respondent to conduct enquiry on the complaint given by the petitioner dated 21.12.2015 in C.S.R.No.271 of 2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law.

6. This criminal original petition is disposed of accordingly.

vrc

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

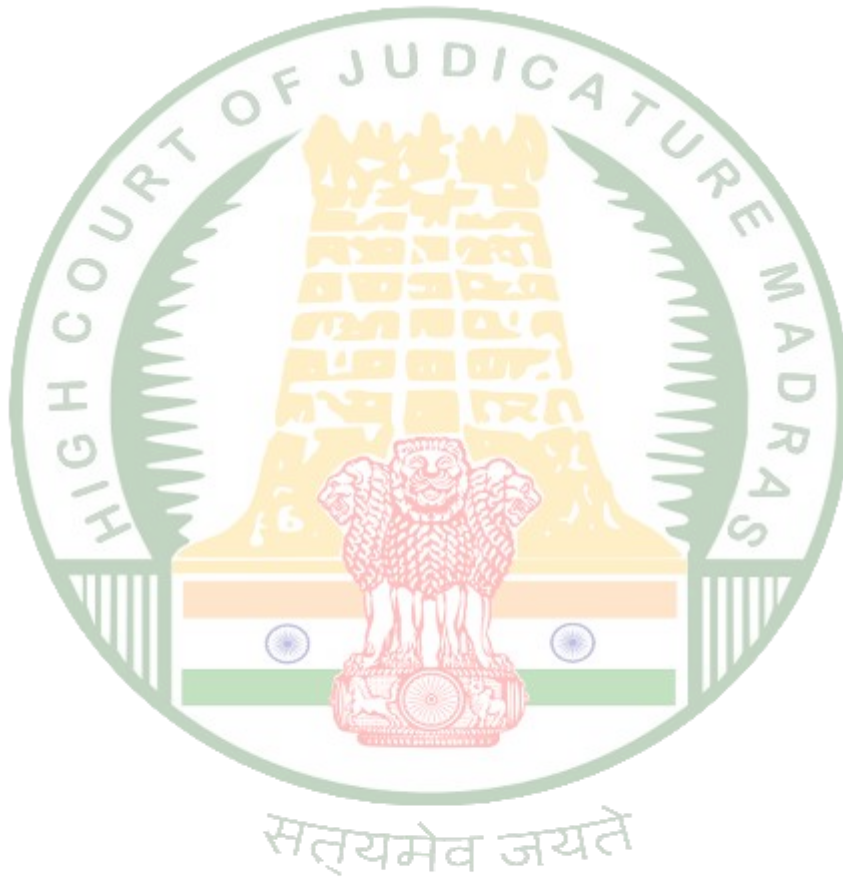
1. The Inspector of Police,
E-1, Ponneri Police Station,
Ponneri, Thiruvallur District.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.S.Ambigapathi, Advocate SR 1151

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