

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.34 of 2016

Nallathambi

Vs

... Petitioner

The State

Represented by :

The Inspector of Police,
Paramathi Police Station,

Paramathi,

Namakkal District.

(CSR No.221/2015)

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register the complaint in C.S.R.No.221/2015 dated 10.12.2015 presently on the file of the respondent police and investigate the same.

For Petitioner : Mr.Thomas T Jacob

For Respondent : Mr.C.Emalias,

Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking a direction to the respondent to register a case based on the complaint given by the petitioner in C.S.R.No.221/2015, dated 10.12.2015 presently on the file of the respondent and investigate the same.

2.The petitioner herein lodged a complaint on 10.12.2015 as against one Selvarani, Marappan, Mageshwaran, Ram Mohan, Arumugam, Vinayagamoorthy and Subramani on the allegation that the above said persons have created a forged document in respect of the land belonging to the petitioner comprised in S.No. 170/1 measuring to an extent of 4 acres and they have sold the property to one Subramnai; that when the petitioner questioned the same, they abused the petitioner and also threatened him with dire consequences. On the receipt of the complaint given by the petitioner, C.S.R.No.221 of 2015 has

been assigned. But, no action has been taken so far. Hence, the present criminal original petition has been filed by the petitioner.

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

4.The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.S.R.No.221 of 2015 has been assigned and the matter is pending for enquiry.

5.In view of the submissions made by the petitioner as well as the Additional Public Prosecutor, this Court directs the respondent-Police to conduct enquiry on the basis of the complaint given by the petitioner dated 10.12.2015 in C.S.R.No.221 of 2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the respondent is directed to proceed further in accordance with law, as early as possible. If no prima facie case is made out for registering the FIR, the respondent is directed to pass an appropriate order on the said complaint.

6.This criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ari

To

1.The Inspector of Police,
Paramathi Police Station,
Paramathi,Namakkal District.

2.The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s. Thomas T Jacob, Advocate sR.948

Cr1.O.P.No.34 of 2016

RSI(CO)
EU 22.1.16