

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.3653 of 2016

R.Ramajeyaraman

.. Petitioner

Vs.

1.The Commissioner of Police
Commissioner of Police
Vepery, Chennai.

2.The Inspector of Police
Land Grabbing Cell
Central Crime Branch
Chennai.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents to register an F.I.R. based on the petitioner's complaint dated 24.07.2015 and investigate the same in accordance with law.

For Petitioner :Mr.I.Periasamy

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

O R D E R

The petitioner has come forward with this petition seeking for a direction to the respondents to register a case pertaining to the petitioner's complaint dated 24.07.2015 and investigate the same in accordance with law.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 24.07.2015, for which, C.No.1525 of 2015 has been assigned. But the respondents have not shown any interest to enquire the matter and register the case. Hence, the petitioner has come forward with this petition for the above stated relief.

3.Learned Additional Public Prosecutor submits that the petitioner has not produced any document to substantiate his claim and hence, the complaint was closed on 02.09.2015.

4. Heard both sides.

5.A perusal of the typed set of papers reveals that the petitioner himself stated that he purchased the property on 27.01.1992 and he mortgaged the same to the Society and repaid the entire loan amount. But at the time of enquiry, since the petitioner did not produce the relevant document, the complaint was closed.

6.Considering the aforesaid facts and circumstances of the case, I am of the view, it is a fit case to reopen the closure report. The petitioner is directed to appear before the respondents for enquiry on 23.03.2016 along with all the relevant documents. The second respondent police is directed to conduct enquiry and expedite the same and follow the dictum laid down in Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC) and register a case, if any cognizable offence is made out.

7.The Criminal Original Petition is disposed of with the above direction.

kj

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Commissioner of Police,
Commissioner of Police,
Vepery, Chennai.

2.The Inspector of Police,
Land Grabbing Cell,
Central Crime Branch,
Chennai.

3.The Public Prosecutor, High Court, Chennai.

+ 1 cc to Mr.I.Periasamy, Advocate Sr 15296

KR/14/3/16

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