

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.3758 of 2016

Rasu

... Petitioner

Vs.

1.The Commissioner of Police
Chennai City
Veppery, Chennai-7.

2.The Inspector of Police
Keelkattalai police station
Chennai-117.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to register the case on the basis of the petitioner's complaint dated 05.02.2016 and investigate the matter in accordance with law.

For Petitioner : Mr.P.Ramaraj

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction to the second respondent to register a case pertaining to the petitioner's complaint dated 05.02.2016 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 05.02.2016 stating that the petitioner has paid a sum of Rs.10,00,000/- to one Sridhar, who was running a firm viz., M/S.Sai Enterprises, Trichy, for getting order in respect of fixing solar energy tunnel. But the counter petitioner neither obtained such an order nor returned the amount. When the petitioner demanded him the money, he issued three cheques and when the same was presented for encashment, it was returned as

"insufficient funds". Immediately, the petitioner has questioned the counter petitioner, for which, he made a criminal intimidation. So the petitioner has lodged the complaint. 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 would submit that the respondents have not received any complaint from the petitioner.

4.Heard both sides.

5.A perusal of the typed set of papers reveals that there is no iota of evidence to show that the complaint has been given by the petitioner. Under such circumstances, the petitioner is directed to give a fresh complaint to the respondents and on receipt of the same, the second respondent is directed to conduct enquiry 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.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police

Chennai City

Veppery, Chennai-7.

2.The Inspector of Police

Keelkattalai police station

Chennai-117.

3.The Public Prosecutor

High Court, Chennai.

+1 cc to Mr.P.Ramaraj, Advocate sr no 17449[2/6/16]

Cr1.O.P.No.3758 of 2016

JSV(CO)

CA(18/03/2016)