

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.418 of 2016

P.Hari Narayanan

..Petitioner

Vs

1.The Commissioner of Police,
Chennai City Veppery,
Chennai 600 007.

2.The Inspector of Police,
J3 Guindy Police Station,
Chennai 600 032.

...Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the 2nd respondent herein viz., the Inspector of Police, J3 Guindy Police Station, Chennai to register a case on the complaint given by the petitioner herein on 29.12.2015.

For Petitioner : Mr.A.Murugavel

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

O R D E R

The present criminal original petition has been filed seeking a direction to the 2nd respondent to register a case on the basis of the complaint given by the petitioner, dated 29.12.2015.

2.The case of the petitioner is that the petitioner is residing at No.16, Vandikkaran Street, Velacherry, Chennai. On 20.08.2015, the father of the petitioner entered into an agreement with one Dev Anand and V.Kannan to let out a portion of the shop to the above said persons to run the business under the name and style of Vel Kovai Pazhmidhir Solai. As per the said agreement, the above said persons did not pay the monthly rent as well as the advance amount in respect of the premises let out to them. Therefore, the petitioner was forced to pay the electricity consumption charges in respect of the premises with

penalty to the Electricity Board. In the mean time, the above said persons approached the petitioner and informed that they would vacate the premises voluntarily and accordingly, they had vacated the premises on 11.12.2015 by taking away their belongings. While being so, on 12.12.2015, on instigation of the above said persons, 20 unknown persons attempted to trespass into the portion of the shop of the petitioner illegally. When the petitioner questioned the same, they have threatened the petitioner with dire consequences. Hence, the petitioner lodged a complaint before the 2nd respondent-police. Since till date no action was taken, the petitioner has come forward with the present criminal original petition.

3. When the matter is taken up for consideration, the learned Additional Public Prosecutor submitted that the dispute between the petitioner and the counter petitioners is nothing but a dispute over the tenancy. However, the learned Additional Public Prosecutor submitted that based on the complaint given by the petitioner, CSR No.1160 of 2015 has been assigned and the matter is pending for enquiry.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

5. In view of the submissions made by the petitioner as well as the Additional Public Prosecutor, this Court directs the 2nd respondent-Police to conduct enquiry on the basis of the complaint given by the petitioner in C.S.R.No.1160 of 2015 dated 29.12.2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the 2nd respondent is directed to proceed further in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.

-s/d-

Assistant Registrar (CCC)

dt:22/01/2016

True Copy

Sub-Assistant Registrar

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To

1.The Commissioner of Police,
Chennai City Veppery,
Chennai 600 007.

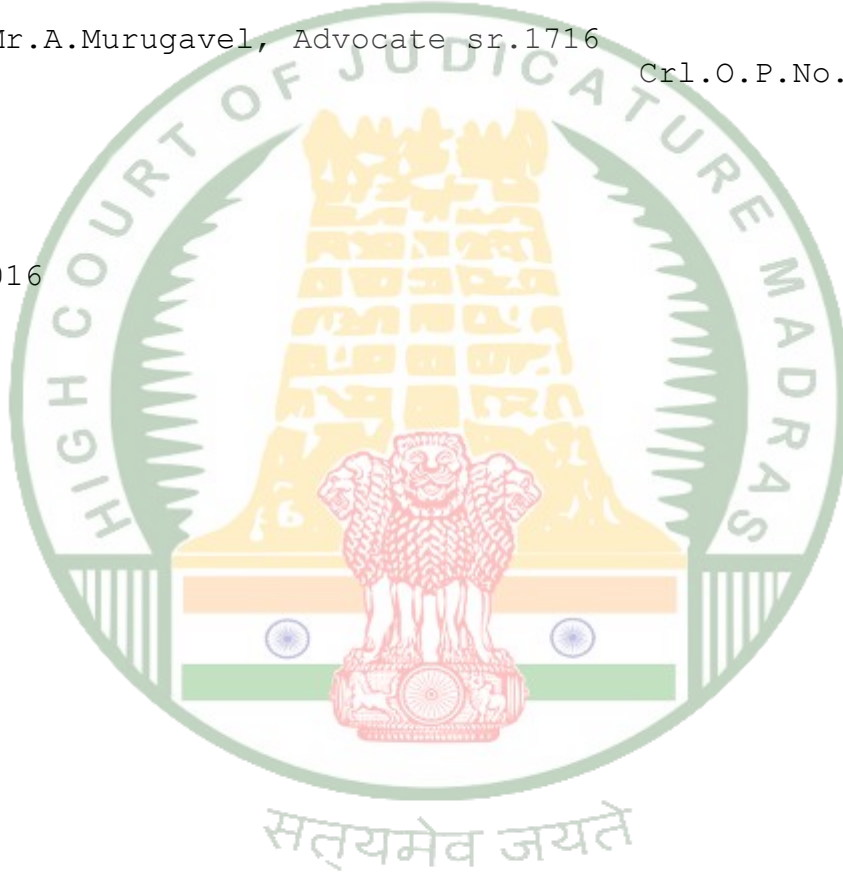
2.The Inspector of Police,
J3 Guindy Police Station,
Chennai 600 032.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.A.Murugavel, Advocate sr.1716

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