

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.4958 of 2016

N.Gurunathan

.. Petitioner

Vs.

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

2.The Deputy Commissioner of Police,
R1, T.Nagar Police Station,
T.Nagar, Chennai - 17.

3.The Assistant Commissioner of Police,
R1, T.Nagar Police Station,
T.Nagar, Chennai - 17.

4.The Inspector of Police,
R1, T.Nagar Police Station,
T.Nagar, Chennai - 17.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the third respondent to register the complaint dated 05.01.2016.

For Petitioner : Mr.R.Kalyan Kishen Singh

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 third respondent to register a case pertaining to the petitioner's complaint dated 05.01.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the third respondent on 05.01.2016 stating that the petitioner herein was appointed as

Power of Attorney for one Sri Kesavan Kannan and on that basis, he went to the office of the proposed accused for demanding the amount to the tune of RS.23,36,000/- which was due to Sri Kesavan Kannan as per the memo of understanding entered between both the parties on 14.04.1999, at that time, the proposed accused threatened the petitioner. He further that even though C.S.R.No.27 of 2016 has been assigned, the third respondent has 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. At this juncture, the learned Additional Public Prosecutor, on instructions, would submit that on receipt of the complaint from the petitioner, C.S.R.No.27 of 2016 has been assigned and after due enquiry, it was closed as it is money dispute between the parties and they were directed to work out their remedy before the competent authority.

4. In response, the learned counsel appearing for the petitioner submitted that the petitioner is not concerned with the money dispute and he is more particular about the criminal intimidation made by the proposed accused. Hence, he pray for an order.

5. Considering the rival submissions made on both sides, I am of the view that it is a fit case to re-open the case and enquire the matter afresh. Therefore, the third respondent is directed to expedite the 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. The petitioner is also directed to co-operate for enquiry.

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

cse

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

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

2.The Deputy Commissioner of Police,
R1, T.Nagar Police Station,
T.Nagar, Chennai - 17.

3.The Assistant Commissioner of Police,
R1, T.Nagar Police Station,
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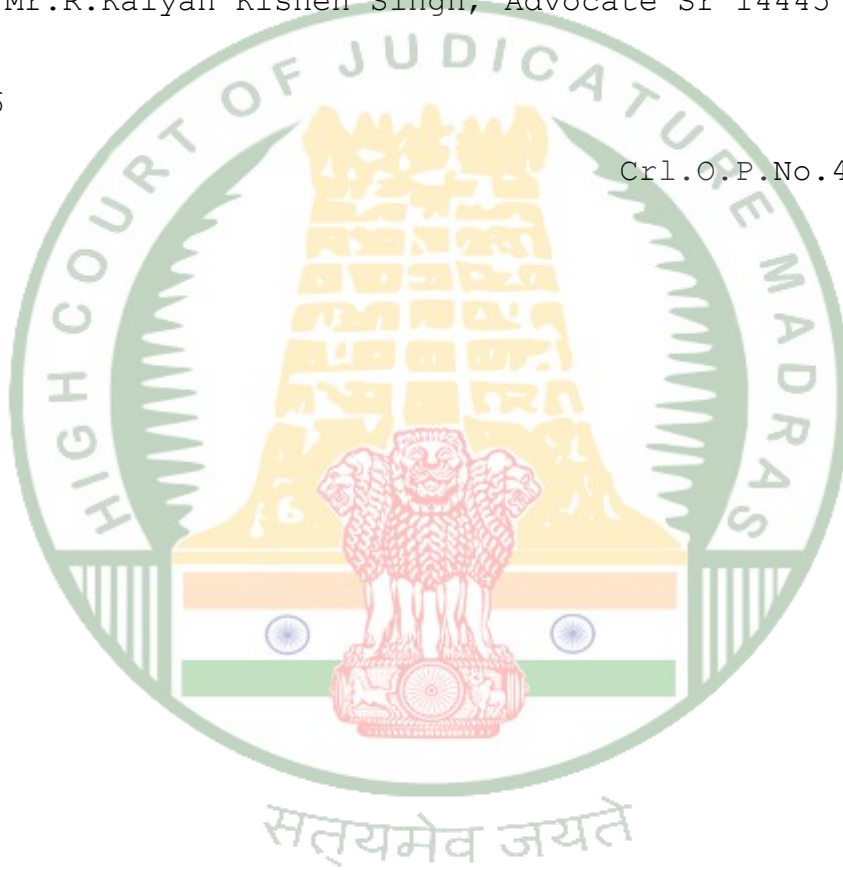
4.The Inspector of Police,
R1, T.Nagar Police Station,
T.Nagar, Chennai - 17.

5.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.R.Kalyan Kishen Singh, Advocate Sr 14445

KR/16/3/16

Cr1.O.P.No.4958 of 2016



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