

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.531 of 2016

Najma

... Petitioner

Vs

The State,
Rep. by the Inspector of Police,
D-3, Police Station,
Ice House, Triplicane,
Chennai 600 005.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to give direction to the Inspector of Police (Law and Order), D-3, Police Station, Ice House, Triplicane, Chennai 600 005, the respondent police herein to register an FIR on the basis of the complaint dated 30.12.2015 given by the petitioner to the respondent police and to take action in accordance with law.

For Petitioner : Mr.L.Gavaskar
For Respondent : Mr.C.Emalias,
Additional Public Prosecutor.

O R D E R

The present petition has been filed to give a direction to the respondent police herein to register the FIR on the complaint dated 30.12.2015 given by the petitioner and to take action in accordance with law.

2. The petitioner herein lodged a complaint as against one Abdul Rahman. The petitioner's husband has paid a sum of Rs.85,000/- to Abdul Rahman as advance for the monthly rent of Rs.3500/- for the tenancy portion where the petitioner's husband was running a mutton and chicken shop. Since the petitioner's husband was suffering from chest pain, he was taking treatment for the past two months, he was not able to run the shop. The said Abdul Rahman illegally break opened the shop and demolished the flooring work and tiles and caused damage to the tune of Rs.1 lakhs. Hence, the complaint was lodged by the petitioner with the respondent police. Since no action was taken till date, the present petition has been filed.

3. When the matter is taken up for consideration, learned Additional Public Prosecutor submitted that the matter appears to be the dispute between the landlord and the tenant and he opposed to grant of direction as prayed for. However, he submitted that on receipt of the complaint from the petitioner, CSR No.579/2015 was assigned and the enquiry is pending.

4. In view of the submission made by the learned Additional Public Prosecutor and that the CSR number has been assigned on the complaint given by the petitioner, the respondent police is directed to conduct an enquiry on the complaint dated 30.12.2015 given by the petitioner and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law, as early as possible.

5. This criminal original petition is disposed of accordingly.

vsi

s/d-
Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
D-3, Police Station,
Ice House, Triplicane,
Chennai 600 005.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.L.Gavaskar, Advocate SR 2413

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