

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.5320 of 2016

P.Ravichandran

.. Petitioner

Vs.

State rep. by

The Inspector of Police,

H1 Old Washermenpet police station,

Crime Branch, Chennai-21.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to register a FIR based on the petitioner's complaint dated 26.08.2015 and investigate the same in accordance with law.

For Petitioner : Mr.R.C.Paul Kanagaraj

For Respondent : 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 respondent to register a case pertaining to the petitioner's complaint dated 26.08.2015 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 respondent on 26.08.2015, for which, C.S.R.No.1041 of 2015 has been assigned. But the 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 the petitioner has given the complaint against one Pandiyan, who conducted chit and the petitioner has paid the chit amount regularly. In the complaint, further it was stated that after the month of June 2015, no auction held, hence the petitioner approached them, but they refused to return the money. He would further submit that since the said Pandiyan died, the respondent has

closed the complaint. Hence, he prays for dismissal of this petition.

4.Heard both sides.

5.A perusal of the complaint itself shows that the petitioner has not only paid money to Pandiyan and also to one Mani. But the said Mani has to be examined. Under such circumstances, the closure report filed by the respondent is hereby reopened and the respondent is directed to conduct 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.

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

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police,
H1 Old Washermenpet police station,
Crime Branch, Chennai-21.
 2. The Public Prosecutor, High Court, Chennai.
- + 1 cc to Mr.R.C.Paul Kanagaraj, Advocate Sr 15642

KR/16/3/16

सत्यमेव जयते

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