

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Criminal Original Petition No.56 of 2016

M/s.Fullerton India Credit Company Limited
represented by its Legal Manager,
Mr.K.Suryamoorthi,
No.307, Megh Towers,
Poonamallee High Road,
Maduravoyil,
Chennai-600 095.

... Petitioner

Vs.

1.The Commissioner of Police,
Coimbatore.

2.The Inspector of Police,
B-6, Peelamedu Police Station,
Coimbatore.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondents to register an FIR based on the complaint dated 08.04.2015 against Mr.P.Gopalasamy, G.Saravanan and Mrs.S.Senthamil Selvi and investigate the matter and submit a report.

For Petitioner : Mr.S.Namasivayam

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

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O R D E R

The petitioner has come forward with this petition seeking for a direction, directing the respondents to register an FIR based on the complaint dated 08.04.2015 and investigate the matter and submit a report.

2.The learned counsel for the petitioner would submit that the proposed accused borrowed money from the petitioner, on the basis of the Settlement Deed, executed in their favour, but, after obtaining the loan, the Settlement Deed has been revoked. Hence, the petitioner has given a complaint to the

1st respondent on 08.04.2015 but, the respondent police had not taken any steps to register a case and hence, the petitioner has come forward with this petition for the above stated relief.

3.Resisting the same, the learned Additional Public Prosecutor would submit that the petitioner has given a complaint to the first respondent on 08.04.2015 and the same has been forwarded to the 2nd respondent and the enquiry is going on.

4.Considering the rival submission made on both sides, the 2nd 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 Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mps

To

1.The Commissioner of Police,
Coimbatore.

2.The Inspector of Police,
B-6, Peelamedu Police Station,
Coimbatore.

3.The Public Prosecutor,
Madras High Court,
Madras.

+1cc to Mr.S.Namasivayam, Advocate, S.R.No.7025

Cr1.O.P.No.56 of 2016

SAI (CO)
CA(11/02/2016)