

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.5893 of 2016

M.Rajan

... Petitioner

Vs.

1.State Rep. by
The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai - 600 007.

2.The Sub-Inspector of Police,
Central Crime Branch,
Team-1, Chennai.

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to issue direction to the respondent herein to register a case on the basis of complaint dated 30.09.2015 and to file final report before the Hon'ble Court within stipulated period.

For Petitioner : Mr.V.Purushothaman

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the respondent herein to register a case on the basis of complaint dated 30.09.2015 and to file a final report.

2.The learned counsel for the petitioner submitted that the stated property originally belonged to one Ahmed Sherif, the petitioner intended to purchase the property and also paid a sum of Rs.1,00,000/-. The entire sale consideration was fixed at Rs.2.5 Crores and Rs.1.10 Crores has been paid as advance. The said Ahmed Sherif has executed power of attorney in favour of the petitioner and subsequently, it was cancelled and also sold the property. Hence, the petitioner lodged a complaint on 30.09.2015. 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 respondent received the complaint given by the petitioner and issued C.No.2425 of 2015. They enquired into the matter and also recorded the submission of the petitioner. It is only civil in nature and no ingredients of cognizable offence has been made out. Hence, it was closed. The learned Additional Public Prosecutor also produced the closure report for the perusal of this Court. Hence, he prayed for the dismissal of the petition.

4.Considering the rival submissions made on both sides and on a perusal of the closure report it is known that the dispute is civil in nature. Hence, recording the submissions of the learned Additional Public Prosecutor, this Criminal Original Petition is disposed of.
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s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1.The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai - 600 007.

2.The Sub-Inspector of Police,
Central Crime Branch,
Team-1, Chennai.

3.The Public Prosecutor
High Court, Madras.

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Cr1.O.P.No.5893 of 2016

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