

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.MATHIVANAN

CrI.OP.No.6284 of 2016

S.Jayalakshmi

...Petitioner

Vs

The Inspector of Police,
S.7, Madipakkam Police Station,
St. Thomas Mount,
Chennai.

...Respondent

Prayer:- Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondent Police to register a case based on petitioner's complaint dated 23.12.2015 and investigate the same.

For Petitioner :Mr.R.Thirumoorthy

For Respondent :Mr.C.Emalias

Additional Public Prosecutor

ORDER

This Criminal Original petition has been filed under Section 482 Cr.P.C. seeking for a direction to the respondent police to register a case based on petitioner's complaint dated 23.12.2015 and investigate the same.

2. The petitioner has stated that one Lakshmi had made a false promise that there is a land with all valid documents and no encumbrance on the said property. She had received a sum of Rs.48,00,000/- towards a part of total sale consideration of Rs.73,00,000/-. Thereafter, the petitioner had found that there was some defect in the Sale Deed. Therefore, the petitioner had demanded the said Lakshmi to return the advance amount of Rs.48,00,000/-. But the said Lakshmi had returned only a sum of Rs.10,00,000/-, and the remaining amount is not returned. When the petitioner demanded, once again the proposed accused had made a threat with dire consequences. Under these circumstances, the petitioner had preferred a complaint before the respondent Police on 23.12.2015. However, till date no action is forthcoming, and therefore, the petitioner has come forward with the present petition.

3. Heard Mr.R.Thirumoorthy, the learned counsel appearing for the petitioner and Mr.C.Emalias, learned Additional Public Prosecutor appearing for the respondent.

4.This Court has perused the averments placed on record.

5. In view of the above, this Court finds that a direction could be issued to the respondent Police to register a case on the petitioner's complaint dated 23.12.2015 and to investigate the same.

6. Accordingly, the Criminal Original Petition is disposed of with a direction to the respondent Police to register a case on the petitioner's complaint dated 23.12.2015 and investigate the same in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
S.7, Madipakkam Police Station,
St. Thomas Mount,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr. R. Thirumoorthy, Advocate Sr.18461

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VSN(CO)
EU 05.04.16