

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.6948 of 2016

R.Krishnan ...Petitioner

Vs

- 1.State by
The Superintendent of Police,
Erode,
Erode District.
- 2.The Inspector of Police,
District Crime Branch,
Erode. ...Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent Police to register the complaint dated 15.02.2016 and to file a final report and direct to investigation as is enjoined under Code of Criminal Procedure.

For Petitioner : Mr.S.Senthil Murugan
For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent Police to register a case on the complaint dated 15.02.2016, given by the petitioner and to investigate the same and file a final report.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. On a reading of the complaint dated 15.02.2016, it is seen that this petitioner had sold yarn to the opposite party for a sum of Rs.21,17,400/- and that the cheques issued by the opposite party are bounced.

4. In a case of this nature, dispute is essentially civil in nature, and even according to the petitioner, the cheques have bounced. It is open to the petitioner to initiate prosecution under Section 138 of the Negotiable Instruments Act, if so advised. Hence, no positive direction can be issued to the respondents-Police to register an FIR.

In view of the above, this petition is closed with liberty to the petitioner to work out his remedy in the manner known to law.

Sd/-
Assistant Registrar(CCC)

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Sub Assistant Registrar

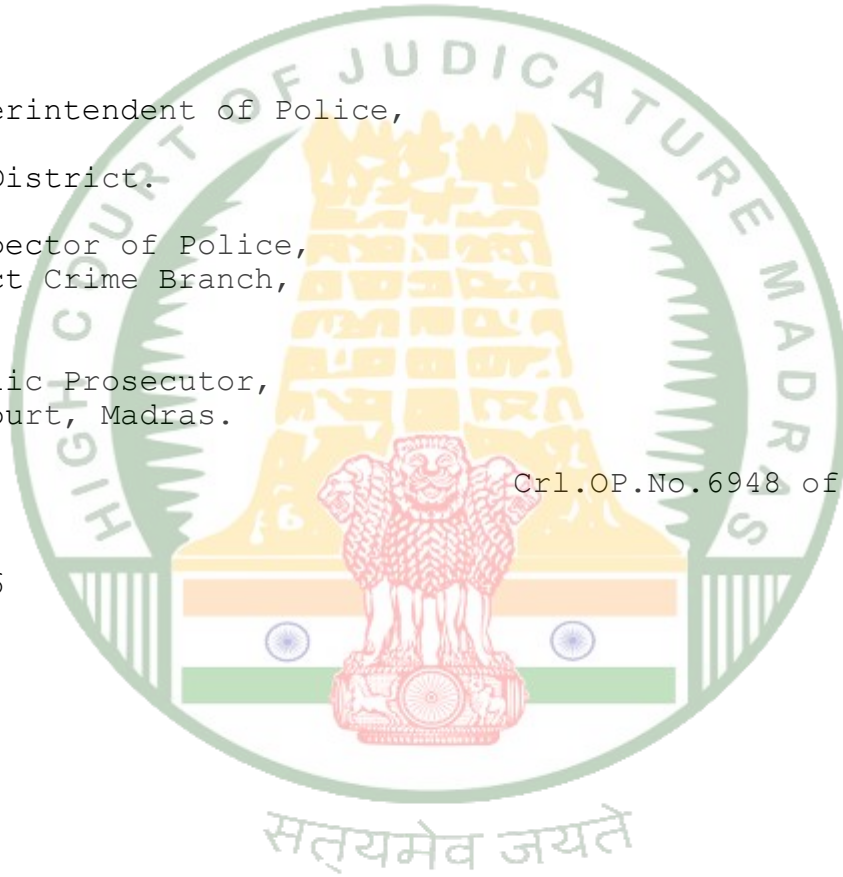
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To:

- 1.The Superintendent of Police,
Erode,
Erode District.
- 2.The Inspector of Police,
District Crime Branch,
Erode
- 3.The Public Prosecutor,
High Court, Madras.

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CTK(CO)
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