

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.7176 of 2016

S.V.Venkateswaran

... Petitioner

Vs.

1.The Commissioner of Police,
Chennai City Police,
Chennai.

2.The Inspector of Police,
EDF - III Batch -20,
Central Crime Branch Police,
Egmore,
Chennai-7.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent to register a case based on the complaint given by the petitioner on 07.10.2015.

For Petitioner :Mr.K.K.Kannan

For Respondents :Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction, directing the 2nd respondent to register a case based on the complaint given by the petitioner on 07.10.2015.

2.The learned counsel appearing for the petitioner submitted that on 19.07.2014, there was an agreement between the petitioner and one N.Sridhar, the proprietor of M/s.Action Take Movies and he offered a co-producership for the petitioner for production of a Tamil movie namely, "Aavi Kumar" and received Rs.75,00,000/- from the petitioner during the year 2012-2014. But, in the movie, the name of the co-producer has been mentioned as "Sivasaravanan" instead of the name of petitioner. Without mentioning the name of the petitioner as co-producer, the accused released the movie on 22.07.2015. When it was questioned by the petitioner, he made a criminal intimidation against him and hence, the petitioner has given a complaint on 07.10.2015 before the respondents, but the respondents have not

made proper enquiry and closed the same, directing the petitioner to approach the appropriate forum. Hence, the petitioner prays for setting aside the closure report.

3.Resisting the same, the learned Additional Public Prosecutor for the respondents submitted that on receipt of the complaint, the respondents has made enquiry and there was a written agreement between the counter petitioner and the petitioner and it is still alive. He further submitted that if there is any violation of condition, they have to approach the Court of law by filing petition before the Courts.

4.Considering the rival submissions made on both sides and on perusal of the typedset of papers, it is seen that in the complaint itself, it has been specifically mentioned that how they entered into an agreement and if there is any violation of condition, they have to approach the appropriate forum and not before the respondent police.

Recording the submissions made by the learned Additional Public Prosecutor, this Criminal Original Petition is dismissed as devoid of merits. The petitioner is at liberty to move before the appropriate forum.

mps

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1.The Commissioner of Police,
Chennai City Police,
Chennai.

2.The Inspector of Police,
EDF - III Batch -20,
Central Crime Branch Police,
Egmore,
Chennai-7.

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

sk(co)
prk27/4

Cr1.O.P.No.7176 of 2016