

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.7467 of 2016

Pioneer Wincon Pvt. Ltd.,
rep. by its Legal Manager,
Mr.Arasamuthu
No.30/1A, Harrington Chambers
2nd Floor, B-Block,
Abdul Razack 1st Street,
Saidapet, Chennai - 600 015.

... Petitioner

Vs.

State represented by
The Inspector of Police,
J-1 Saidapet Police Station,
Chennai.
Respondent

..

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent to register the case as per complaint dated 12.02.2016 by the petitioner.

For Petitioner : Mr.K.Jayachandiran

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction to the respondent police to register a case pertaining to the petitioner's complaint dated 12.02.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 12.02.2016. 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 on receipt of the complaint from the petitioner, C.No.584 of 2016 has been

assigned. He would also submit that petition enquiry has been conducted and closed. But, he has fairly conceded that the statement of the petitioner does not find place in the file.

4. Considered the rival submissions made on both sides and perused the typed set of papers.

5. The petitioner has given a complaint on 12.02.2016 stating that the proposed accused had cheated him and made criminal breach of trust, thereby misappropriated Rs.24 lakhs, but the respondent police has not taken any steps to register a case. According to the learned Additional Public Prosecutor, on the basis of the complaint given by the petitioner, enquiry has been conducted and closed and he has fairly conceded that the statement of the petitioner does not find place in the file. Hence, I am of the view that it is a fit case to re-open the closure report and enquire the matter afresh. Therefore, the respondent is directed to re-open the case and 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 petitioner is also directed to appear before the respondent police on 30.04.2016.

6. The Criminal Original Petition is disposed of with the above direction.

cse

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police,
J-1 Saidapet Police Station,
Chennai.

2. The Public Prosecutor, High Court, Chennai.

KR/28/4/16

Cr1.O.P.No.7467 of 2016