

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.7766 of 2016

G.Krishnamurthy

.. Petitioner

Vs.

1.State rep. by
The Inspector of Police
Central Crime Branch (Team-II)
Vepery, Chennai-600 007.

2.The Manager-HR
Shri Ram City Union Finance Ltd.
Base Office, Shree Naga Arcade
Cantonment, Trichy-1.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to take appropriate action against the second respondent for their illegal custody of the petitioner's original certificates based on the petitioner's complaint dated 03.09.2015.

For Petitioner :Mr.S.John Peter

For R1

:Mr.C.Emalias
Addl. Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking a direction to the first respondent to take appropriate action against the second respondent for their illegal custody of the petitioner's original certificates based on the petitioner's complaint dated 03.09.2015.

2.When the matter was listed on 13.04.2016, no one represented on behalf of the petitioner. On that date itself, learned Additional Public Prosecutor submitted that the petitioner is an accused in Crime No.259 of 2013 for the offences punishable under Sections 408 and 420 IPC. While the petitioner was working under the counter petitioner's company viz. Shriram City Union Finance Ltd., he has misappropriated

17.88 kilograms of gold. It was further submitted that on receipt of the petitioner's complaint dated 03.09.2015, counter petitioner was called and enquired, which shows that he has not possessed the petitioner's original certificates. Therefore, the petitioner's complaint was closed as if the counter petitioner has not possessed the documents.

3. Heard both sides.

4. A perusal of page No.1 of the typed set of papers shows that on 31.07.2013, when the petitioner was appointed, the counter petitioner's company received the petitioner's SSLC and Higher Secondary certificates. Further, it was specifically mentioned that the original certificates will be returned to the petitioner on surrender of the acknowledge copy duly discharged.

5. In view of the above, the first respondent is directed to take action in accordance with law by considering page No.1 of the typed set of papers.

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

kj

Sd/-
Asst. Registrar

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police
Central Crime Branch (Team-II)
Vepery, Chennai-600 007.

2. The Public Prosecutor
High Court, Chennai.

+ 1 cc to Mr. S. John Peter, Advocate Sr 24658

KR/28/4/16

Cr1.O.P.No.7766 of 2016