

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.8908 of 2016

M.Kannan

.. Petitioner

Vs.

1.The District Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

2.The Inspector of Police,
District Crime Branch,
O/o.District Superintendent of Police,
Thiruvannamalai.

3.Banureka

4.Kalaivani

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to register FIR and may proper enquiry based on the complaint made by him on 30.09.2015 and to file a final report before the Judicial Magistrate Court, Thiruvannamalai within a stipulated time.

For Petitioner : Mr.S.Mazhaimenipandiyar
For Respondents : Mr.C.Emalias
Addl. Public Prosecutor
(For R1 and R2)

O R D E R

The petitioner has come forward with this petition seeking for a direction to the second respondent to register a case pertaining to the petitioner's complaint dated 30.09.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the second respondent on 30.09.2015 stating he is the founder of "Sri Sakthi Charitable and Educational Trust" at Kunnankuppam Village, Thiruvannamalai Taluk and District, in which, the respondents 3

and 4, namely, Banureka and Kalaivani, were appointed as Trustees and they have collected Rs.2 Crores, but, they have not given that amount to the petitioner. But the second 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 the basis of the complaint on 10.11.2014 a case in Crime No.271 of 2014 has been registered for the offences under Sections 147, 420, 294 (b), 468, 506(ii) of IPC on the file of the Kilpennathur Police Station and investigation is going on. He would also submit that since already case has been registered for the said occurrence, the complaint given by the petitioner was closed.

4. Considering the rival submission made on both sides and also considering the complaint, I am of the view that there is no need for re-opening the closure report. Hence, the Criminal Original Petition is disposed of. However, it is left open to the petitioner to approach the appropriate forum.

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1.The District Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

2.The Inspector of Police,
District Crime Branch,
O/o.District Superintendent of Police,
Thiruvannamalai.

3.The Public Prosecutor
High Court, Chennai.

+ 1 cc to Mr.P.Pakayaraj, Advocate SR 26931

ks(co)
prk31/5

Cr1.O.P.No.8908 of 2016