

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

CrI.O.P.No.953 of 2016

S.Ziyaullah

... Petitioner

Vs

The State rep. by
The Inspector of Police,
P-2, Otteri Police Station,
Chennai
(CSR No.1071/2015)

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to register an F.I.R. in the above CSR.No.1071/2015 dated 18.12.2015.

For Petitioner : Mr.E.Amul Prakash

For respondent : Mr.C.Emalias,
Addl.Public Prosecutor.

For Intervener : Mr.R.Venkatesh

O R D E R

This petition has been filed to direct the respondent to register an F.I.R. in the above CSR.No.1071/2015 dated 18.12.2015.

2. The petitioner has lodged a complaint on 13.12.2015 before the Assistant Commissioner of Police, Otteri, Chennai, against one Farmanullah Shreef for misappropriation of funds collected on behalf of Masjid-E-Akbari. The said complaint was forwarded to the respondent and CSR.No.1071/2015 has been assigned on 18.12.2015. The petitioner has stated that the said Farmulla is the Secretary of Masjid E Akbari, managed by the elected committee and under the supervision of Tamil Nadu Wakf Board, Chennai. The said Farmullah started another unregistered trust in the name Dadasha Makan Baitulmal stating to be under the management of Masjid-E-Akbari committee whereas no such permission was granted to the committee. During the time of recent floods in Chennai, the mosque appealed to the general public for funds and many well wishers contributed relief funds but the funds collected by Masjid-E-Akbari were diverted by Farmullah in the name of Dadasha Makan Baitulman. Hence, a complaint

was lodged with the respondent police, but till date, no action was taken. Hence, the present petition.

3. Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor appearing for the respondent and the learned counsel appearing for the intervenor.

4. Learned Additional Public Prosecutor submitted that on receipt of the complaint, C.S.R.No.1071/2015 was assigned and on completion of enquiry, the complaint was closed. He has also produced the closure report.

5. Since the complaint given by the petitioner has been closed, nothing survives in this petition. Hence, the criminal original petition stands dismissed. However, the petitioner is at liberty to work out his remedy in the manner known to law.
vsi

Sd/-
Assistant Registrar (C.C.C.)

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector of Police,
P-2, Otteri Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.

+1 C.C. To MR.E.Amul Prakash, Advocate in SR.NO.2611

PPA(CO)
sd : 28/01/2016

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