



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2016

WEB COPY

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD).No.7196 of 2016

S.Muthumari

.. Petitioner

Vs.

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Inspector of Police,
Vilakkuthoon Police Station,
Madurai District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the first respondent to instruct the second respondent to register a case based on the complaint given by the petitioner on 14.04.2016 and investigate the same and file a final report within a stipulated period.

For Petitioner : Mr.A.S.Rajeswari
For respondents : Mr.A.P.Balasubramani,
Government Advocate (Criminal side)

ORDER

It is an application seeking a direction to the first respondent to instruct the second respondent to register a case based on the complaint of the petitioner dated 14.04.2016.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

3.The sum and substance of the complaint of the petitioner is that even after the repayment of debt amount, the proposed accused failed to cancel the mortgage deed executed in respect of the same and when it was questioned, the proposed accused demanded additional amount of Rs.3 lakhs and also threatened the petitioner with dire consequences. As there was no case registered, the petitioner has come up with this petition.



4. According to the learned Government Advocate (Crl. Side), petition enquiry is stated to be pending before the second respondent.

5. In view of the above submission, the second respondent is directed to expedite the enquiry and complete the same within a period of one month from the date of receipt of a copy of this order. During the course of enquiry, if any cognizable offence is made out, the second respondent police shall take action in accordance with the law laid down by the Hon'ble Apex Court in **Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC)]**. In case of closure of the complaint, a copy of the closure report be furnished to the petitioner within a week of such closure. On receipt of the same, it is open to the petitioner to work out his remedy in the manner known to law.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Vilakkuthoon Police Station,
Madurai District.

3. The Government Advocate (Crl. Side),
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MS.A.S.RAJESWARI, ADVOCATE IN SR No. 27513

GCG

TE/DB/SAR-I : 10.06.2016 : 2P/5C

Crl.O.P(MD)No.7196 of 2016
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