



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2016

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

Crl.O.P. (MD) .No.7437 of 2016

WEB COPY

Balakrishnan

... Petitioner

-Vs-

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Tirunelveli District

2.The Sub Inspector of Police,
Pazhavor Police Station, Pazhavor
Tirunelveli District

... Respondents

Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent No.2 to register the case on the petitioner's complaint dated 01.04.2016 and proceed with the same as per law within the time frame fixed by this Court.

For Petitioner : M/s.T.Lajapathi Roy
For Respondents : Mr.A.P.Balasubramani
Government Advocate (Crl.Side)

ORDER

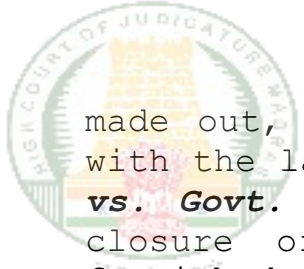
This petition has been filed for a direction to the respondent No.2 to register the case on the petitioner's complaint dated 01.04.2016 and proceed with the same as per law.

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

3. The case of the petitioner is that he borrowed a sum of Rs.5,00,000/- from Adilingaperumal on 15.10.2013 by executing a mortgage deed in favour of the accused; that even though the recital in the mortgage deed stipulates payments of interest, the proposed accused was demanding exorbitant interest; that it made the petitioner to pledge his jewels and to borrow money to pay that exorbitant interest; that the proposed accused cheated the petitioner and got a sale deed executed by misrepresentation and fraud, while alleging that he wanted to cancel the old mortgage deed and that he wanted a new mortgage deed. So alleging, the petitioner wanted action.

4. According to the learned Government Advocate (Crl. Side), petition enquiry is stated to be pending before the 2nd respondent.

5. In view of the above submission, the 2nd 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 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.

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

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Tirunelveli District
2. The Sub Inspector of Police,
Pazhavor Police Station, Pazhavor
Tirunelveli District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

RR/ar

JA-SK-SKN-20.06.2016/2P-4C

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03.06.2016