



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P. (MD) No.7473 of 2016

P.M.Ponkumar

... Petitioner

-VS-

1. The Superintendent of Police,
Madurai, Madurai District.2. The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.3. The Inspector of Police,
Melur Police Station,
Madurai District.

... Respondents

(R3 is suo motu impleaded by this Court on 06.06.2016)

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondents to conduct enquiry and register a case in complaint dated 24.03.2016 against the proposed accused persons and pass such or other orders as this Honourable Court.

For Petitioner : Mr.N.Mariappan
For Respondents : Mr.A.P.Balasubramani
Govt. Advocate (Crl.Side)

ORDER

This petition has been filed to direct the respondents to conduct enquiry and register a case in complaint dated 24.03.2016 against the proposed accused persons.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side), who would submit that the complaint of the petitioner has been transferred to the file of the Inspector of Police, Melur Police Station, Madurai District, in which, petition enquiry is pending. Therefore, the Inspector of Police, Melur Police Station, Madurai District is suo motu added as the third respondent to this petition.



3. The allegation in the complaint is that the proposed accused persons, who were managing the petitioner's company at the time of his illness, colluded together and misappropriated the amount to the tune of Rs.45,000/- and have also stolen the petitioner's cheque bearing no.000232. Though the petitioner lodged a complaint with the 2nd respondent, no effective steps were taken on his complaint dated 24.03.2016. Hence, the petitioner is before this Court seeking the above relief.

4. In view of the submission made by the learned Government Advocate (Crl.Side) that petition enquiry is pending in this case, the impleaded 3rd 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

/True copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Madurai, Madurai District.
2. The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.
3. The Inspector of Police,
Melur Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

AR