



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2016

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

Cr1.O.P (MD) No.9155 of 2016

M.Arumugam

.. Petitioner

.Vs.

1.The Superintendent of Police,  
Sivagangai

2.The Inspector of Police  
District Crime Branch  
Sivagangai

.. Respondents

PRAYER:Criminal Original Petition has been filed under Section 482 of Cr.P.C., praying to direct the 1<sup>st</sup> respondent to instruct the 2<sup>nd</sup> respondent to register a case based upon the petitioner's complaint dated 21.04.2016.

For Petitioner :Mr.G.Thiruvarutselvan

For Respondents :Mr.A.P.Balasubramani

Govt. Advocate (Cr1. Side)

#### ORDER

This petition has been filed seeking a direction to the 1<sup>st</sup> respondent to instruct the 2<sup>nd</sup> respondent to register a case based upon the petitioner's complaint dated 21.04.2016.

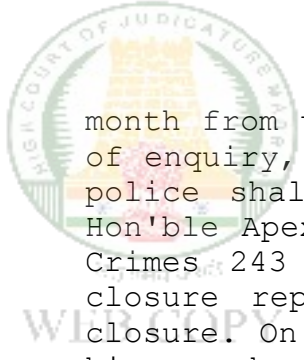
2.Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) for the respondents.

3.The sum and substance of the complaint of the petitioner is that the proposed accused borrowed a sum of Rs.13 lakhs from the petitioner and as security they executed a power attorney deed in favour of the petitioner. But, it came to light that the proposed accused by creating forged sale deed executed the said power of attorney deed. When the original owner of the said property lodged a complaint, the petitioner cancelled the power of attorney deed. When the petitioner asked to return his money, the proposed accused gave a life threat to him. As no case was registered on the said complaint, the petitioner has come up with this petition.

4.According to the learned Government Advocate (Cr1. Side), petition enquiry is pending before the second respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

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(AE)

/True Copy/

Sub Assistant Registrar.

To

1. The Superintendent of Police,  
Sivagangai

2. The Inspector of Police  
District Crime Branch  
Sivagangai.

3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1CC to M/S.G.Thiruvarutselvan, Advocate, SR.No. 31001

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gcg  
AM/DP/04.07.2016/2P/5C