



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2016

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD).No.9385 of 2016

Usman Ali

...Petitioner

-Vs-

State rep.by

1.The Inspector of Police,
Appan Thirupathi Police Station,
Madurai.

2.The Superintendent of Police,
Madurai,
Madurai District.

...Respondents/Complainants

Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the 1st respondent to register the FIR on the basis of the complaint given by the petitioner dated 29/04/2016 and investigate the same in accordance with law.

For Petitioner : Mr.R.Rahim Sikkandar

For Respondents : Mr.A.P.Balasubramani

Government Advocate (Crl.Side)

ORDER

It is an application seeking a direction to the first respondent to register a case based on the complaint of the petitioner dated 29.04.2016.

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 the proposed accused has executed an othi agreement in favour of the petitioner and received a sum of Rs.2,05,000/-. But the proposed accused neither handed over the house property to the petitioner nor returned the money. The proposed accused has also assaulted the petitioner. 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 pending in CSR No.82 of 2016.

5.In view of the above submission, the first 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 first 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(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1. The Inspector of Police,
Appan Thirupathi Police Station,
Madurai.

2. The Superintendent of Police,
Madurai, Madurai District.

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

+1cc to Mr.R.Rahim Sikkandar, Advocate in SR.31456

Cr1.O.P. (MD).No.9385 of 2016
20.06.2016

MJ

PBK/KBM 27.06.2016 ::2P-5C: