

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2017

CORAM

THE HONOURABLE Mr. JUSTICE R.MAHADEVAN

Cr1.OP.No.5604 of 2017

M/s.IAL Logistics India Limited
Rep by its Authorised Representative
Mr.Anil Ratra

... Petitioner

Vs

The Inspector of Police,
B-2, R.S.Puram Police Station (Crime)
R.S.Puram,
Coimbatore.

... Respondent

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the Inspector of Police, B-2 R.S.Puram Police Station (Crime), Coimbatore, to register a case and investigate for the offences under Sections 408, 477-A and 420 IPC r/w Sec. 109 IPC against the accused R.Thiyagarajan, B.Saravanakumar and R.Venkatesan as per the order of the learned Judicial Magistrate No.I, Coimbatore in CMP.No.5009 of 2016 on 28.09.2016 and also to investigate the case within a stipulated time.

For Petitioner : Mr. K.V.Sridharan

For Respondent : Mr. C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondent to register a case against the named persons in the petition in CMP.No.5009 of 2016, which was forwarded to the respondent police by the learned Judicial Magistrate No.I, Coimbatore by order dated 28.09.2016.

2. It is the case of the petitioner that the petitioner is a Logistics company, which cater the domestic and international logistics by air, sea and land. One R.Thiyagarajan, who is the Branch Manager at Coimbatore, B.Saravanakumar, Accountant and R.Venkatesan, Regional Head have colluded and conspired together and manipulated the books of accounts, thereby caused loss to the company to the tune of Rs.64,42,162/-. After coming to know about the same, the petitioner made a complaint dated 18.07.2016 with the respondent. Since no action was taken by the

respondent, they submitted a complaint to the Commissioner of Police, Coimbatore on 22.09.2016. Even thereafter, there was no response on the said complaint, which compelled the petitioner to file a petition under Section 156(3) Cr.P.C. before the learned Judicial Magistrate No.I, Coimbatore. The said petition was taken on file as CMP.No.5009 of 2016 and the same was forwarded to the respondent police for taking appropriate action by order of the learned Magistrate dated 28.09.2016. However, till date, no steps have been taken by the respondent. Hence, this Criminal Original Petition.

3. Heard Mr.K.V.Sridharan, learned counsel appearing for the petitioner and Mr.C.Emalias, learned Additional Public Prosecutor appearing for the respondent.

4. Considering the facts and circumstances of the case, this Court directs the respondent to hold appropriate enquiry on the petitioner's petition in CMP.No.5009 of 2016, which was forwarded by the learned Judicial Magistrate No.I, Coimbatore, by order dated 28.09.2016 and if the allegations made therein disclose commission of cognizable offence, register a case, investigate the same and file a final report or close the same as the case may be, in accordance with law, as expeditiously as possible.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ds/rk

To

1. The Inspector of Police,
B-2, R.S.Puram Police Station (Crime)
R.S.Puram,
Coimbatore.

2. The Public Prosecutor
High Court, Madras.

+1cc to Mr.K.V.Sridharan, Advocate in Sr.No.18970

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KS(CO)
NR(08/06/2017)