

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.8802 of 2017

S.Murugarselvi

[Petitioner]

Vs

The State of Tamil Nadu,
rep.by the Inspector of Police,
Central Crime Branch,
Vepery, Chennai-7.

[Respondent]

Petition filed under Section 482 of the Criminal Procedure Code, to direct the respondent police to register the complaint and investigate the case on the basis of the complaint given by the petitioner dated 29.10.2015.

For Petitioner : Mr.V.Kadhirvelu

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

With regard to the dispute relating to the management of shares of a company, by name M/s.Sri Kanniamman Cotton Textile Pvt Ltd, the petitioner filed a complaint to the respondent police and a receipt was issued on 29.10.2015. The petitioner also produced the necessary documents as required. But till date no enquiry has been conducted.

On a direction of this Court in Crl.O.P.No.5750 of 2016 on 11.03.2016, to the respondent to register a case as against the complaint made by the petitioner dated 29.10.2015, a complaint was registered and the same was closed as civil in nature. On a clarification petition filed by the petitioner before this Court in CMP No.4595 of 2016 in Crl.O.P.No.5750 of 2016, this Court passed an order on 20.04.2016 observing that the petitioner may approach the appropriate forum for appropriate remedy. The petitioner also filed a petition before the National Company Law Tribunal at Chennai to direct the respondent to register the complaint and to investigate. But the Tribunal, after numbering the petition, returned the same on the ground that main C.P.No.61 of 2005 stands already disposed of vide this Court's order dated 18.05.2010. Hence this Criminal Original Petition.

2.Mr.C.Emalias, learned Additional Public Prosecutor, takes notice for the respondent.

3.Heard the learned counsel on either side and perused the materials available on record.

4.If any fresh material is able to be produced by the petitioner before the respondent police or if there is any change in circumstances

to bring it to the notice of the respondent, it is for the petitioner to place the same for appropriate consideration by the respondent police.

Granting such liberty, this Criminal Original Petition is disposed of.

Index : Yes/No

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Internet : Yes/No

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Note: Issue order copy on 12.06.2017.

To

1.The Inspector of Police,
Central Crime Branch,
Vepery, Chennai-7.

2.The Public Prosecutor,
Madras High Court,
Chennai-600 104.

R.MAHADEVAN, J.

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