

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2017

CORAM

THE HONOURABLE Mr. JUSTICE R.MAHADEVAN

Cr1.OP.No.4849 of 2017

P.Kantharaj

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Guduvancherry Police Station,
Guduvancherry,
Kanchipuram.

... Respondent

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., praying to issue directions to the respondent police to register an FIR on the complaint dated 23.08.2016 given by the petitioner pending under CSR.No.1133 of 2016.

For Petitioner : Mr.N.Anand Venkatesh
For Respondent : Mr. C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondent-police to register a FIR on the basis of the petitioner's complaint dated 23.08.2016, pending in CSR.No.1133 of 2016.

2. It is the case of the petitioner that he and his wife are the absolute owners of the property in plot No.275, Thirukkural Nagar, comprised in Old Survey No.370/3C/18 (Part) and 477 (Part) as per Patta New Survey No.477/72, Kayarambedu Village, Chengalpattu Taluk, Kanchipuram District by a sale deed dated 23.03.2009 registered as Document No.1400 of 2009 on the file of the SRO, Chengalpattu. From the date of purchase, they have been in possession and enjoyment of the same. While so, during the month of August 2016, one Somasundaram had made a phone call to the petitioner and threatened him either to sell the property to him at a low rate or to purchase the same from him by paying money, failing which he will not allow the petitioner to enjoy the same. On verification, the petitioner came to know that his property was fraudulently dealt with by the said Somasundaram,

his son Balaji and his wife S.Bama and created a bogus power of attorney and mortgage deed with an intention to grab the property belonging to the petitioner and his wife. Hence, the petitioner lodged a complaint dated 23.08.2016 with the respondent-police. On receipt of the same, the respondent police initially conducted an enquiry by summoning the parties. Thereafter, no progress was made on the said complaint. Hence, this Criminal Original Petition.

3. Heard Mr.N.Anand Venkatesh, 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 complaint dated 23.08.2016 vide CSR.No.1133 of 2016 and if the allegation made therein discloses commission of cognizable offence, 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.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

ds/rk

To

1. The Inspector of Police,
Guduvancherry Police Station,
Guduvancherry,
Kanchipuram.

2. The Public Prosecutor
High Court, Madras.

+1cc to Mr.N.anand Venkatesh, Advocate Sr. 18794

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RSI (CO)
VR(12/06/2017)