

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2017

CORAM

THE HONOURABLE Mr. JUSTICE R.MAHADEVAN

CrI.OP.No.27234 of 2016

Velumani

...

Petitioner

Vs.

1. The Superintendent of Police,
District Police Office,
Namakkal,
Namakkal District.

2. The Deputy Superintendent of Police,
District Crime Branch,
Namakkal,
Namakkal District.

3. The Inspector of Police,
District Crime Branch,
Namakkal,
Namakkal District.

...

Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the third respondent to register a FIR against named accused person based on the petitioner's complaint dated 29.07.2016, and to issue a direction under Section 156(3) of Cr.P.C., in CMP.No.3902 of 2016 dated 30.08.2016 by the learned Judicial Magistrate, Paramathy, Namakkal District (1st respondent herein).

For Petitioner : Mr. G.Anbuchezhian

For Respondents : Mr. C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the third respondent to register a FIR, based on the petitioner's complaint dated 29.07.2016 and the petition in CMP.No.3902 of 2016 dated 30.08.2016 filed under Section 156(3) Cr.P.C. which was forwarded by the learned Judicial Magistrate, Paramathy, Namakkal District.

2. It is the case of the petitioner that he is working as a lorry driver. He was cheated by one Kumar, his wife Shanthi and their two sons Jeevanandam and Shanmugam, who were conducting auction chit in the village, to the tune of Rs.4,00,000/-. Hence, he lodged a complaint dated 29.07.2016 before the first respondent, which was also forwarded to the third respondent. On receipt of the same, the third respondent conducted enquiry by summoning all the persons named in the complaint. Thereafter, no progress was made on the said complaint, which compelled the petitioner to file a complaint under Section 156(3) Cr.P.C before the learned Judicial Magistrate, Paramathy, Namakkal District and the same was taken on file as CMP.No.3902 of 2016. By order dated 30.08.2016, the learned Magistrate has forwarded the said case records to the third respondent for further investigation and appropriate action. Even thereafter, no action was taken by the respondents. Hence, this petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor, who took notice for the respondents.

4. Considering the facts and circumstances of the case, this Court directs the third respondent to hold appropriate enquiry on the petitioner's complaint dated 29.07.2016 as well as Section 156(3) Cr.P.C petition in CMP.No.3902 of 2016, which was forwarded by the learned Judicial Magistrate, Paramathy, Namakkal District 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.

Sd/-
सत्यमेव जयते

Assistant Registrar

//True Copy//

WEB COPY

Sub Assistant Registrar

ds/rk

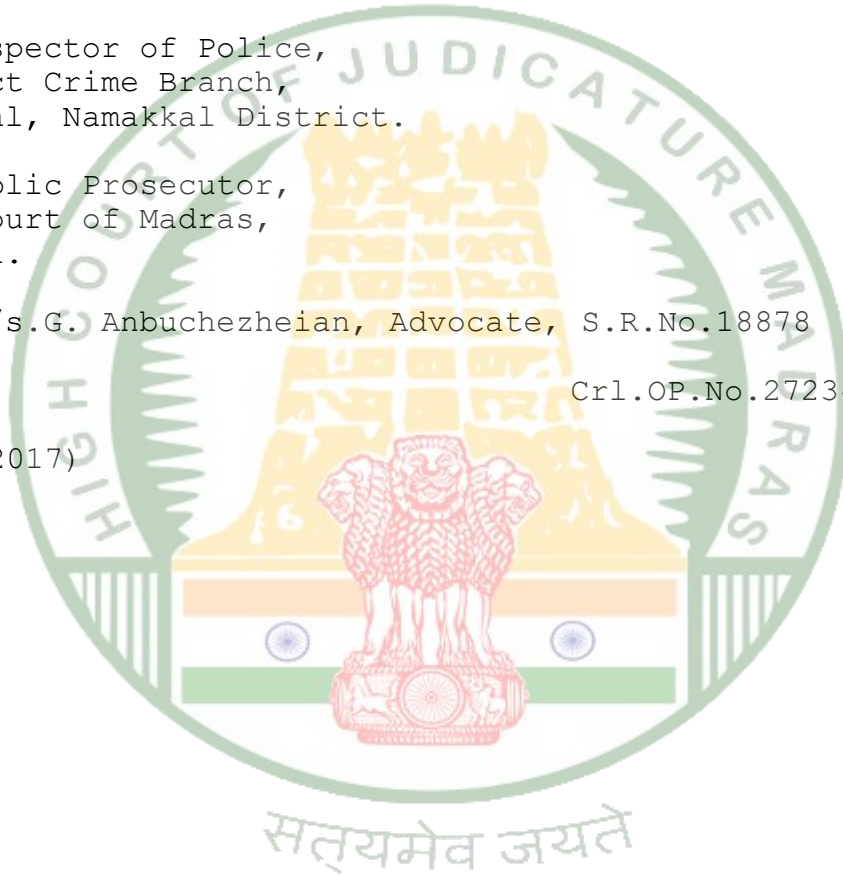
To

1. The Judicial Magistrate, Paramathy,
Namakkal District.
2. The Superintendent of Police,
District Police Office,
Namakkal, Namakkal District.
3. The Deputy Superintendent of Police,
District Crime Branch,
Namakkal, Namakkal District.
4. The Inspector of Police,
District Crime Branch,
Namakkal, Namakkal District.
5. The Public Prosecutor,
High Court of Madras,
Chennai.

+1cc to M/s.G. Anbuechezheian, Advocate, S.R.No.18878

Cr1.OP.No.27234 of 2016

SS (CO)
NR (24/05/2017)



WEB COPY