

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.20257 of 2018

S.Thillainayagi @ Thillai

.. Petitioner

Vs

State by

1.The Commissioner of Police,
Vepery,
Chennai-7.

2.The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai-94.

3.The Inspector of Police,
Central Crime Branch, Team-16,
Vepery,
Chennai-7.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to direct the respondents to register the complaints
dated 27.10.2015 and 14.11.2017 lodged by the petitioner with
the FIR and forwarded for enquiry to the 2nd and 3rd respondent
respectively as a single FIR and investigate the same in
accordance with law.

For Petitioner : Mr.B.Mohan
For Respondents : Mr.C.Raghavan, GA

O R D E R

This Criminal Original Petition has been filed to direct the
respondents to register the complaints dated 27.10.2015 and
14.11.2017 lodged by the petitioner.

2.Heard the learned counsel appearing for the petitioner and
the learned Government Advocate appearing for the respondents.

3.Though it is brought to the notice of this Court that on the complaint given by the petitioner, a petition enquiry was conducted in C.No.5574/CCB/COP/V/2017 and the same has been closed on 29.01.2018. Aggrieved by the closure, the petitioner is before this Court.

4.Mr.Mohan, learned counsel for the petitioner contended that the reference to C.S.No.46 of 2016 in the closure report dated 29.01.2018, relates to the property in Arumbakkam and it does not relate to the property in Avadi.

5.However, on a reading of the complaint dated 14.11.2017 which relates to the property in Avadi, the petitioner herself has stated that a Power of Attorney has been registered as document No.7712/2014 on 25.06.2014, purported to have been given by her. But in fact, the same was not given by her. She has further stated that on the strength of the Power of Attorney, the property was sold by document No.7735/2017 dated 24.08.2017. Under such circumstances, liberty is given to the petitioner to approach the Metropolitan Magistrate, CCB and CBCID Cases, Allikulam under Section 156[3] Cr.P.C. in accordance with the law laid down by the Supreme Court in Priyanka Srivastava and Another Vs State of U.P. and Others [(2015)6 SCC 287].

With the above observation, this petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Metropolitan Magistrate,
CCB and CBCID Cases,
Allikulam, Chennai.-3

2.The Commissioner of Police,
Vepery,
Chennai-7.

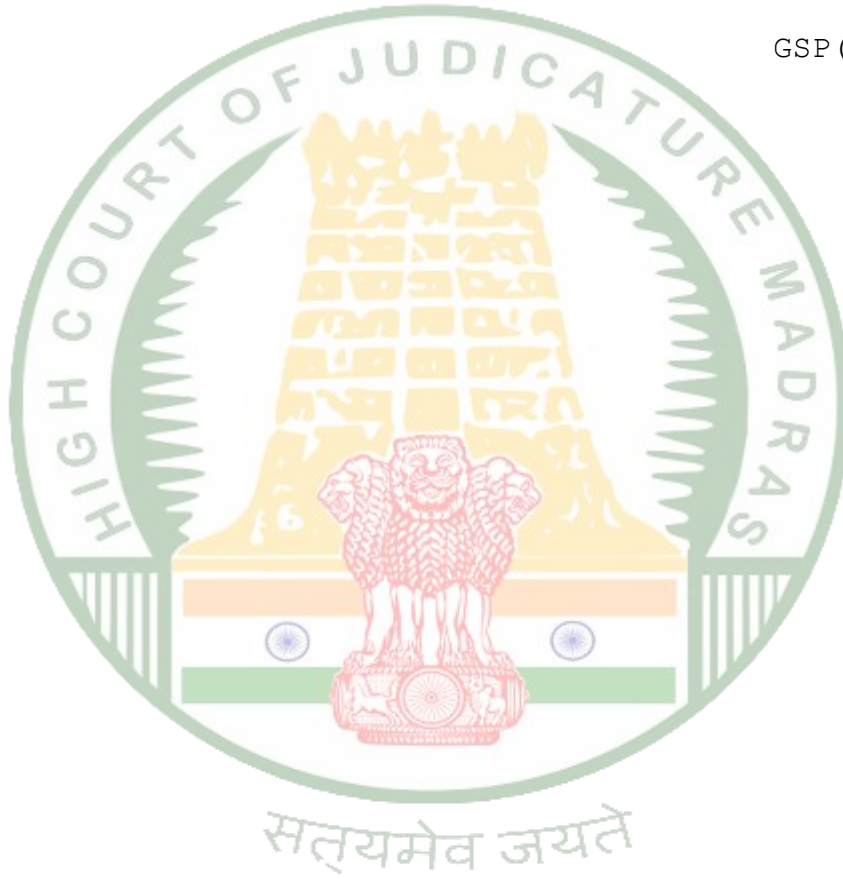
3.The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai-94.

4.The Inspector of Police,
Central Crime Branch, Team-16,
Vepery,
Chennai-7.

5.The Public Prosecutor,
High Court, Madras.

CRL.OP.No.20257 of 2018

GSP(03/08/2018)



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