

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.21912 of 2018

D.Johnson Rathnakumar ...Petitioner

Vs.

1.State Rep. By

The Commissioner of Police,

The Greater Chennai Vepery,

Chennai - 600 007.

2.State Rep.by

The Inspector of Police,

J-3, Guindy Police Station,

Chennai - 600 032. ...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register the complaint, to complete the investigation and file a final report in respect of C.S.R.No.247 of 2018 dated 24.03.2018 on the file of J3 Guindy Police Station within a time frame.

For Petitioner :Mr.A.Mayyadurai

For Respondents :M/s.M.Prabhavathi

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the second respondent to register a case based on the complaint given by the petitioner dated 24.03.2018.

2.The learned counsel for the petitioner has submitted that the petitioner was running the business in the name of ICORRRO PROJECTS INDIA PVT LTD., at No.14, Periyar Street, 2nd Cross Street, Sri Ganesh Nagar, Kolathur, Chennai - 600 099 for the past four years. He further submitted that one A.K.Chenniappan (Proprietor of M/s.Classic Tools & Services, No.23, NP Industrial Estate Chennai, Ekkaduthangal, Chennai - 32) approached the petitioner and placed order for painting of the spare parts of Wind Mills and the petitioner also agreed for the same. He further submitted that in pursuance of the said contract, the petitioner has done his painting work and for that the accused has to pay a sum of Rs.25,00,000/-. Further the accused has retained the Air Compressor of the petitioner worth Rs.6,00,000/- and hence, the petitioner has made a complaint before the second respondent on 24.03.2018, but, so far, no action has been taken.

3.The learned Public Prosecutor has submitted that the complaint is still pending for enquiry.

4.Considering the aforesaid submissions, the second respondent is directed to expedite the enquiry and if the enquiry reveals any cognizable offence, then he has to register the case and proceed in accordance with law. In case, the enquiry reveals only a civil dispute, the second respondent has to direct the petitioner to approach the appropriate forum and get appropriate relief in accordance with law.

5.With aforesaid observations, this Criminal Original Petition is disposed of.

11.09.2018

vsa

Index:yes/No

Internet : Yes/No

Speaking order/Non-speaking order

Note: Issue order copy on 12.09.2018

P.RAJAMANICKAM.J.,

vsa

To

1.The Commissioner of Police,
The Greater Chennai Vepery,
Chennai - 600 007.

2.State Rep.by
The Inspector of Police,
J-3, Guindy Police Station,
Chennai - 600 032.

3.The Public Prosecutor,
Madras High Court,
Chennai.

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