

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.21961 of 2018

A.K.Habibullah

...Petitioner

Vs.

1.The Commissioner of Police,
Vepery,
Poonamallee High Road,
Chennai - 7.

2.The Inspector of Police,
N-1 Royapuram Police Station,
Chennai - 13.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent to register the complaint dated 16.07.2018 lodged by the petitioner with the second respondent and investigate the same and file final report.

For Petitioner : Mr.P.Sidharthan

For Respondent : Ms.M.Prabhavathi
Additional Public Prosecutor

O R D E R

This petition has been filed by the petitioner to direct the second respondent to register a case based on the complaint given by the petitioner dated 16.07.2018.

2. The learned counsel for the petitioner has submitted that one Joshua is the tenant under the petitioner and the petitioner has filed RCOP for eviction and the same is still pending. He further submitted that in the said RCOP, the said Joshua has filed a counter stating that the petitioner herein has executed a document stating that he has borrowed a sum of Rs.1,30,000/-, but, she has not produced the said document. He further submitted that if any such document is there, that might have been created by him by forging the signature of the petitioner and therefore, the petitioner has lodged a complaint

before the second respondent on 16.07.2018, but so far, no action has been taken.

3. The learned Public Prosecutor has submitted that the said 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, he has to register a case and proceed in accordance with law. In case the enquiry reveals only a civil dispute, he has to direct the petitioner to approach the appropriate forum and get appropriate relief.

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

vsa

Sd/-
Assistant Registrar (CS IV)

// True Copy //

Sub Assistant Registrar

To

1. The Commissioner of Police,
Vepery, Poonamallee High Road,
Chennai - 7.

2. The Inspector of Police,
N-1 Royapuram Police Station,
Chennai - 13.

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

+ 1 CC TO MR.P.SIDHARTHAN, ADVOCATE SR 63190

KR/4/10/18

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