

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2018

CORAM

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.22133 of 2018

V.Mani

... Petitioner

Vs.

1. The Superintendent of Police,
Villupuram District,
Villupuram.

2. The Inspector of Police,
District Crime Branch,
Villupuram,
Villupuram District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to register FIR against the named said persons on the basis of the complaint lodged by the petitioner on 10.04.2018.

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

This petition has been filed to direct the second respondent police to register a case based on the complaint given by the petitioner dated 10.04.2018.

2. The learned counsel for the petitioner has submitted that one Brinda @ Saroja and Ramalingam have entered into a sale agreement with the petitioner in respect of their property and they have received a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) as advance amount and thereafter they have sold the property to some third party. Hence, the petitioner demanded to return the advance amount and the said persons also promised to repay the said amount. But, subsequently they have not returned the amount and hence the petitioner has lodged a complaint before the second respondent on 10.04.2018, but so far no action has been taken.

3. The learned Government Advocate (Crl.Side) has submitted that the dispute is Civil in nature and hence no action has been taken on the said complaint.

4. Considering the aforesaid submissions, the second respondent is directed to expedite the enquiry and if enquiry,

reveals any cognizable offence, he has to register a case and proceed further in accordance with law. In case, it reveals only a civil dispute, he has to direct the petitioner to approach the civil court to get appropriate relief. In stead of doing so, he should not keeping the complaint indefinitely.

5. With the aforesaid observations, this petition is disposed of.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

msrm

To

1. The Superintendent of Police,
Villupuram District,
Villupuram.

2. The Inspector of Police,
District Crime Branch,
Villupuram,
Villupuram District.

3. The Public Prosecutor
High Court of Madras.

+1cc to Mr.C.PRakasam, Advocate Sr.No.64130

SR(CO)

sm:9.10.2018

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सत्यमेव जयते

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