

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.05.2018

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

CRL.OP.No.13846 of 2018

Michael Arokkiyam

... Petitioner

Vs

The Commissioner of Police,
E.V.K. Sampath Road,
Veppery, Chennai-7.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent to register a case on the complaint given by the petitioner dated 27.03.2018 and to proceed with the investigation according to law.

For Petitioner : Mr.S.Doraisamy

For Respondent : Ms.M.Prabhavathi, APP

ORDER

The Criminal Original Petition has been filed seeking a direction, directing the respondent to register a case on the complaint given by the petitioner dated 27.03.2018 and to proceed with the investigation according to law.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondent and perused the materials

placed on record.
<http://www.judis.nic.in>

N.SATHISH KUMAR, J.

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3. According to the case of the petitioner, in order to grab his property, from the year 1981 onwards, some false documents have been created and a forged document has been registered with the connivance of the employees of the Sub-Registrar's Office by one Murugesan.

4. On the face of the records, this Court is of the view that this petition is not maintainable mainly on the ground of laches. Though the petitioner alleged that from the year 1981 onwards, one Murugesan is said to have indulged in the fabrication of documents, he has slept over all these years i.e. from 1983. Therefore, he cannot now approach this Court to register a case against the said Murugesan. Therefore, the Criminal Original Petition is dismissed, however, liberty is given to the petitioner to work out his remedy before the appropriate Forum by filing a private complaint and can very well establish the fabrication of documents.

30.05.2018

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To

1. The Commissioner of Police,
E.V.K. Sampath Road,
Veppery, Chennai-7.

2. The Addl. Public Prosecutor,
High Court, Madras.

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