

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2018

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.24425 of 2018

Anwar Basha

.. Petitioner

Vs.

The Superintendent of Police
O/o.The Superintendent of Police
Central Bureau of Investigation
Sasthri Bhavan
Chennai 600 006

.. Respondent

PRAYER:Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code to direct the respondent police to register the complaint on the basis of petitioner's complaint dated 17.08.2018.

For Petitioner : Mr.K.Jayaraman
For Respondent : Mr.K.Srinivasan
Spl. P.P. (CBI cases)

J U D G M E N T

The petitioner has filed this Criminal Original Petition under Section 482 Cr.P.C., directing the respondent police to register the complaint on the basis of petitioner's representation dated 17.08.2018.

2.The sum and substance of the complaint is that the petitioner who had proposed to purchase a land / plot from one T.Arumugam, situated at Renganathapuram 3rd Cross Street in S.R.No.307/1 at Tambaram for a valid sale consideration. Thereby, the petitioner issued a cheque bearing No.594761 dated 26.01.2018 for a sum of Rs.14 lakhs and the cheque connected with his Savings Bank Account No.6568000100007221 in the Punjab National Bank, West Tambaram Branch. Since the sale process has not been materialised, the petitioner had issued a stop payment letter in person on 29.01.2018 before the Punjab National Bank Branch Manager, West Tambaram Branch and the same was also acknowledged by him and a message was sent online

about his stop payment. Thereafter, to his shock and surprise, he found that Rs.14 lakhs was debited in favour of T.Arumugam from his Savings Bank Account.

3. Thereafter, when the sale consideration was materialised, the Bank authorities have once again debited another Rs.14 lakhs from the current account owned by the petitioner and his family members to the said T.Arumugam. Hence, he has made a representation to the bank officials to look into the matter.

4. Though, the petitioner has sought to register his complaint dated 17.08.2018 in this petition, now he has restricted his prayer only to direct the authority to pass orders within the stipulated time.

5. The learned Special Public Prosecutor (CBI cases) appearing for the respondent accedes to the limited request made by the petitioner without going into the merits and without expressing any opinion of the Court, I am inclined to issue direction to the respondent to pass orders on the representation of the petitioner dated 17.08.2018 within a period of four weeks thereafter the same shall be communicated to the petitioner within a period of another two weeks.

6. Accordingly, this petition is disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To.

1. The Superintendent of Police
O/o. The Superintendent of Police
Central Bureau of Investigation
Sasthri Bhavan
Chennai 600 006

2. The Special Public Prosecutor (CBI Cases)
High Court of Madras

+1cc to Mr.K.Jayaraman, Advocate SR.No. 78237

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ASK(04/12/2018)