



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2018

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WEB COPY

THE HON'BLE MR.JUSTICE P. RAJAMANICKAMCr1.O.P.(MD) No.1094 of 2018

T.S. Chandra Mohan

... Petitioner

-Vs-

1. The Superintendant of Police,
Trichy District,
Trichy.

2.The Inspector of Police,
Siruganur Police Station,
Trichy District.

... Respondents

Prayer: This Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to direct the respondent to register a case on the petitioner's complaint dated 05.12.2017 and investigate the case in accordance with law.

For Petitioner : Mr.T. Lenin kumar

For Respondents : Mr.Prabhu Ramachandran
Government Advocate (Cr1. Side)**ORDER**

This petition has been filed to direct the second respondent to register a case, based upon the complaint given by the petitioner, dated 05.12.2017.

2. The learned counsel appearing for the petitioner has submitted that the petitioner is running a stone quarry and he entered into an oral agreement with one Palanisamy for taking stones from his quarry and based on the oral agreement, the said Palanisamy gave Rs.2,00,000/- as advance and took stones to the value of Rs.1,06,366/- and subsequently, the said Palanisamy paid Rs.50,000/- to the petitioner. He further submitted that since the said Palanisamy did not act upon his words, the petitioner returned back Rs.1,50,000/- to him. He further contended that having disgruntled over the above, the said Palanisamy lodged a complaint before the second respondent stating that the petitioner has received a sum of Rs.10,00,000/- from him and



executed an agreement to that effect and thereafter, the petitioner is not permitting him to take stones from the quarry. He further submitted that the said agreement is a fabricated one and the petitioner did not sign in the said agreement and hence, the petitioner gave a counter complaint before the second respondent on 05.12.2017, but, so far, no action has been taken.

3. The learned Government Advocate (Crl. Side) appearing for the respondents has submitted that after receipt of both the complaints, summons have been served on both parties directing them to appear before the second respondent on 27.01.2018 for enquiry. He further submitted that only after conducting an enquiry, the second respondent will take appropriate action.

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 a case and proceed in accordance with law.

5. With the above observation, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendant of Police,
Trichy District,
Trichy.
2. The Inspector of Police,
Siruganur Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO M/S.T.LENIN KUMAR, ADVOCATE, SR NO.43806

Crl.O.P.(MD) No.1094 of 2018
24.01.2018

trp