



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **P.RAJAMANICKAM**

CRL.OP.(MD) No.1191 of 2018

S.Kannan

... Petitioner

Vs.

State represented by,

1. The Superintendent of Police,
Tirunelveli District.

2. The Deputy Superintendent of Police,
Sankarankovil,
Tirunelveli District.

3. The Inspector of Police,
Town Police Station,
Sankarankovil,
Tirunelveli District.

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the third respondent to register the case based on the petitioner's complaint dated 03.01.2018.

For Petitioner	: Ms.C.R.Ponnuthai
For Respondents	: Mr.Prabu Ramachandran Government Advocate (crl. Side) for R.1 to R.3

ORDER

This Petition has been filed to direct the third respondent to register a case based on the complaint given by the petitioner dated 03.01.2018.

2.The learned counsel for the petitioner has submitted that the proposed accused is running a real estate business in which the petitioner has invested a sum of Rs.8,00,000/- on 07.04.2016. But subsequently, the proposed accused refused to return the amount and hence the petitioner has lodged a complaint before the third respondent on 03.01.2018, but so far no action has been taken.



3.The learned Government Advocate (Crl.Side) has submitted that after receipt of the complaint, enquiry has been commenced. He further submitted that since the proposed accused is absconding and the third respondent is not able to proceed further.

4.Considering the aforesaid submissions, the third respondent is directed to enquire the petitioner and if the said enquiry reveals that any cognizable offence is made out, he has to register the case and proceed further. Merely because the proposed accused is absconding, the third respondent need not wait indefinitely.

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

Sd/-
Assistant Registrar (AD-I)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District.
2. The Deputy Superintendent of Police,
Sankarankovil,
Tirunelveli District.
3. The Inspector of Police,
Town Police Station,
Sankarankovil,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Ms.C.R.Ponnuthai , Advocate in SR No. 44205

gsp
AE/SKN RSK/SAR2/14.02.2018/2P/6C