



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAMCRL.O.P.(MD)No.1499 of 2018

WEB COPY

P.K.Ravikumar

... Petitioner

-Vs-

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

2.The Inspector of Police,
Rediyappatti Police Station,
Tiruchuli Taluk,
Virudhunagar District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to issue a direction to the respondents to conduct enquiry on petitioner's complaint dated 05.01.2018 and consequently register a Criminal case within the time limit fixed by this Court.

For Petitioner

: Mr.Mark J Jackson

For Respondents

: Mr.Prabu Ramachandran,
Government Advocate (Crl.Side)O R D E R

This Criminal Original Petition has been filed by the petitioner, to direct the respondents to register a case, based on the complaint given by the petitioner, dated 05.01.2018.

2.The learned counsel appearing for the petitioner has submitted that the petitioner has entered into a sale agreement with one Vellaisamy and Karthikai Devi, with regard to purchasing a property and in pursuance of the said agreement, the petitioner has paid Rs.4,00,000/- as advance and subsequently, the aforesaid persons have returned a sum of Rs.2,00,000/- and sold the property to third parties. He further submitted that when the petitioner demanded to pay the balance amount, the aforesaid persons criminally intimidated him and hence he has lodged a complaint before the second respondent on 05.01.2018, but, so far no action has been taken.

3.The learned Government Advocate (Crl.Side) has submitted that after receipt of the complaint an enquiry has been commenced and the proposed accused persons were called for enquiry and they have sent a notice through an Advocate stating that the issue is relating to civil dispute and hence, the Police did not take any action on the complaint given by the petitioner. He further submitted that the said complaint is still pending for enquiry.



4. Recording 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 further in accordance with law. In case, the enquiry reveals only a civil dispute, then he has to direct the parties to approach the Civil Court and work out their remedies in accordance with law.

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

Sd/-

Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

To

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

2. The Inspector of Police,
Rediyappatti Police Station,
Tiruchuli Taluk,
Virudhunagar District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai

+One cc to Mr. Mark J. Jackson, Advocate, SR.No.45831

sss

RL/5C/2P/CVC/SAR2/1/3/2018

CRL.O.P. (MD) No.1499 of 2018