



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.1785 of 2018

A.G.Ganesh

... Petitioner

-vs-

1. The Superintendent of Police,
Nagarcoil, Kanyakumari District.

2. The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent herein to register the complaint of the petitioner dated 17.10.2017, investigate into the case in accordance with law and file final report within a reasonable time.

For Petitioner : Mr.P.Mahendran

For Respondents : Mr.Prabu Ramachandran

Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, to direct the second respondent to register a case, based on the complaint given by the petitioner, dated 17.10.2017.

2.The learned counsel appearing for the petitioner has submitted that the petitioner was working as Field Assistant in the Finance Company, namely., Idayam G.Finance and Investment Service Ltd., at Thukalay Branch, Kanyamumari District. The proposed accused is working as Manager in that Branch and on his request the petitioner gave a sum of Rs.34,848/- to the proposed accused. He further submitted that one Muthukrishnan, who is the Manager of the said Finance Company has misappropriated certain amount and instead of directing the said Muthukrishnan to repay the amount, the Management has insisted the petitioner to pay a sum of Rs.53,523/- and accordingly, the petitioner has paid the said amount, but subsequently, took the petitioner's pulsar bike and also retained the educational certificates and they are refusing to return the said documents, hence, the petitioner has



lodge a complaint before the second respondent on 17.10.2017, but, so far no action has been taken.

3.The learned Government Advocate (Crl.Side) has submitted that summons have been served, but the petitioner did not appear before the second respondent for enquiry, hence, the enquiry is still pending.

4.Considering the aforesaid submissions, the petitioner is directed to appear before the second respondent on 17.02.2018, and on such appearance, the second respondent is directed to enquire the matter and if the enquiry reveals any cognizable offence, he has to register a case and proceed further in accordance with law. In case, the petitioner fails to appear on that day, then, it is open to the second respondent to drop any further action.

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

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Nagercoil, Kanyakumari District.
2. The Inspector of Police,
Thuckalay Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.P.Mahendran, Advocate Sr.No.46824

IA

VB/SV/MMS/SAR4/14.02.2018/2P/5C

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