



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.1947 of 2018

P.Nageswaran

... Petitioner

-vs-

1. The State represented by
The Superintendent of Police,
Madurai District,
Madurai.

2. The State of Tamilnadu represented by
The Inspector of Police,
Vadipatti Police Station,
Madurai.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents particularly the second respondent to register the petitioner's complaint dated 12.07.2015 in complaint receipt No.370 of 2015 issued by the second respondent and take action against the proposed accused on the basis of the petitioners complaint as stated above.

For Petitioner : Mr.K.Muraleedharan

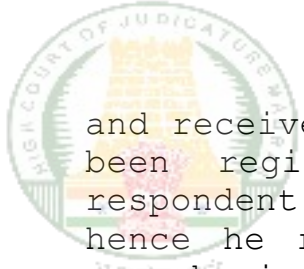
For Respondents : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

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 12.07.2015.

2.The learned Government Advocate (Crl.Side) has submitted that after receipt of the complaint, C.S.R.No.370 of 2015 has been issued and an enquiry has been conducted and thereafter, the case has been registered in Crime No.44 of 2018, under Section 294(b) I.P.C.,

3.The learned counsel appearing for the petitioner has submitted that the proposed accused has deceived the petitioner



and received a sum of Rs.5,00,000/- and hence the case should have been registered under Section 420 I.P.C., but, the second respondent has registered the case, omitting that Section and hence he requests to direct the second respondent to alter the case by including Section 420 I.P.C.,

4.Considering the aforesaid submissions, the second respondent is directed to expedite the investigation and if the investigation reveals that the offence under Section 420 I.P.C., also committed, then he has to file charge sheet including Section 420 I.P.C., also.

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

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 cc TO Mr.K.Muraleedharan , Advocate in SR No. 47548

SSS

AE/KKR/SAR3/13.03.2018/2P/5C

CRL.O.P. (MD) No.1947 of 2018
09.02.2018