



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAM

CRL.O.P. (MD) No.2252 of 2018

WEB COPY

Babu Abraham

... Petitioner

-Vs-

1. The Commissioner of Police,
Subramaniapuram,
Trichy.

2. The Assistant Commissioner of Police,
(Law and Order),
Cantonment,
Trichy.

2. The Inspector of Police,
K.K.Nagar Police Station,
Trichy District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the third respondent to register the case on the basis of the petitioner's complaint dated 18.12.2017, and to take appropriate action against the accused persons within the time this Court may deem fit and proper in the circumstance of the case.

For Petitioner	: Mr.C.Deepak
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 third respondent to register a case based on the complaint given by the petitioner, dated 18.12.2017.

2.The learned counsel appearing for the petitioner has submitted that the petitioner's father and mother gave a separate Power of Attorney in favour of the proposed accused for selling their properties, subsequently, they died, even thereafter, the proposed accused sold certain properties and hence the petitioner has lodged a complaint before the third respondent on 18.12.2017, but so far, no action has been taken.

<https://hcservices.courts.gov.in/hcservices/>
3.The learned Government Advocate (Crl. Side) has submitted that the proposed accused is none other than the brother of the



petitioner and the dispute is pending between two brothers and the complaint is pending for enquiry.

4. Considering the aforesaid submissions, the third 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 that it is only a civil dispute, then he has to direct the parties to approach Civil Court and the aforesaid exercise should be completed within two weeks.

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

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Subramaniapuram,
Trichy.
2. The Assistant Commissioner of Police,
(Law and Order),
Cantonment,
Trichy.
3. The Inspector of Police,
K.K.Nagar Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.C.Deepak, Advocate Sr.No.49250

IA

VB/JC/SAR4/19/03/2018/2P/6C

CRL.O.P. (MD) No.2252 of 2018
16.02.2018