



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2426 of 2018

V.Chandramohan

... Petitioner

-Vs-

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

2. The Inspector of Police,
Batlagundu Police Station,
Dindigul District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent to register a case on the basis of the petitioner's complaint dated 27.04.2017 in C.S.R.No.130 of 2017 on the file of the second respondent police.

For Petitioner : Mr.I.Sam Jegan

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

O R D E R

This Criminal Original Petition has been filed to direct the second respondent to register a case based on the complaint given by the petitioner dated 27.04.2017

2.Heard Mr.I.Sam Jegan, the learned counsel appearing for the petitioner and Mr.Prabu Ramachandran, the learned Government Advocate (Crl.Side) appearing for the respondent.

3.The learned counsel appearing for the petitioner has submitted that the petitioner has executed a registered power of attorney in favour of one A.M.Saravanan, on 21.02.2014 and the said power of attorney was executed only for getting loan. But contrary to the said instructions, the said Saravanan has executed sale deed in respect of the petitioner's property measuring about 6 Acres, in favour of one Seenivasagan and thereby, the said Saravanan and Seenivasagan have cheated the petitioner and hence, the petitioner has lodged a complaint before the second respondent



on 27.04.2017, but so far, no action has been taken on the said complaint.

4.The learned Government Advocate (Crl.side) has submitted that after receipt of the said complaint C.S.R.No.130 of 2017 has been issued and enquiry has been conducted and the same has been closed, as it is civil in nature.

5.The learned counsel for the petitioner by way of reply has submitted that the petitioner was not at all called for enquiry and without making enquiry with the petitioner, the second respondent has closed the petitioner's complaint.

6.The learned Government Advocate (Crl.side) by way of reply has submitted that the petitioner was called over phone, but the petitioner not appeared. After pursuing the complaint and enquiring the respondents, it was found that the petitioner has executed a power of attorney authorizing the said Saravanan to executing a sale deed and hence, the said complaint was closed.

7.Recording the aforesaid submissions, the second respondent is directed to send a copy of the closure report to the petitioner by RPAD within a period of one week from the date of receipt of copy of this order. It is open to the petitioner to avail any other remedy which is available under the law.

8. With the aforesaid observation, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 CC TO Mr.I.SAM JEGAN, ADVOCATE IN SR No. 52153

DAS

TE/KKR/SAR-4 : 21/03/2018 : 2P/5C