



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.2428 of 2018

Kalaiselvi

... Petitioner

-Vs-

1. The Superintendent of Police,
The District Police Office,
Pudukottai District.

2. The state represented by
The Inspector of Police,
District Crime Branch,
Pudukottai District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents particularly the second respondent to register complaint of the petitioner dated 05.02.2018 and investigate the same in accordance with law and also file the final report.

For Petitioner : Mr.K.Praveen Kumar

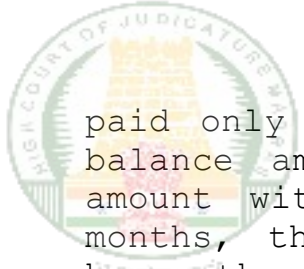
For Respondents : Mr.Prabu Ramachandran,
Government Advocate (Crl.Side)

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 05.02.2018.

2.Heard Mr.K.Praveen Kumar, the learned counsel appearing for the petitioner and Mr.Prabu Ramachandran, the learned Government Advocate (Crl.Side) appearing for the respondents.

3.The learned counsel appearing for the petitioner has submitted that the proposed accused has received a sum of Rs.4 lakhs from the petitioner and promised to repay the same within six months, but after expiry of six months, when the petitioner made request to repay the said amount the proposed accused has



paid only a sum of Rs. 50,000/- and executed a pronote for the balance amount of Rs.3,50,000/- and agreed to repay the said amount within 4 months. But even after expiry of the said 4 months, the proposed accused has failed to pay the amount and hence the petitioner has approached him and made request to repay the said amount on 22.01.2018. At that time the proposed accused criminally intimidated the petitioner by using filthy language and hence the petitioner has lodged a complaint before the second respondent on 05.02.2018, but so far no action has been taken.

4.The learned Government Advocate (Crl.side) has submitted that the petitioner has sent a complaint by RPAD. The first respondent has forwarded the same to the second respondent on 07.02.2018 and the same is still pending for enquiry.

5.Considering the aforesaid submissions, the second respondent is directed to enquire the matter and the 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 civil dispute then he has to direct the petitioner to approach the civil court and get appropriate remedy.

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

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
The District Police Office,
Pudukottai District.
2. The Inspector of Police,
District Crime Branch,
Pudukottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.K.Praveen Kumar , Advocate in SR No. 52277

das

AE/SV MMS/SAR3/15.03.2018/2P/5C

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