



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2474 of 2018

WEB COPY

N.Krishnan

... Petitioner

-Vs-

1.The District Superintendent of police,
O/o. District Superintendent of Police,
Theni,
Theni District.

2.The Inspector of police,
Aandipatti police station,
Theni District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, praying to direct the second respondent to register a case on the basis of the petitioner's complaint dated 26.01.2018 and investigate the same in accordance with law.

For Petitioner

: Mr.R.Karunanidhi

For Respondents

: Mr.Prabu Ramachandran

Government Advocate (Crl.Side)

O R D E R

This petition has been filed to direct the second respondent to register a case based on the complaint given by the petitioner dated 26.01.2018.

2. Heard the learned counsel appearing for the petitioner and the Government Advocate (Crl.Side) appearing on behalf of the respondents.

3. The learned counsel for the petitioner has submitted that the petitioner has borrowed a sum of Rs.25,000/- from the proposed accused and at that time, the proposed accused informed the petitioner that he should pay sum of Rs.1,500/- as interest for the aforesaid amount. Further a mortgage deed was executed on 25.10.2010. Subsequently, the petitioner has discharged the said mortgage and requested the proposed accused to return the documents. But he refused to return the same. Hence the petitioner has lodged a complaint on 26.01.2018. But so far no action has been taken.

4. The learned Government Advocate (Crl.Side) has submitted that after receipt of the said complaint CSR No.136 of 2018 has been issued and the complaint is pending for enquiry.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Considering the aforesaid submissions, the second respondent



is directed to enquire into the matter. If it reveals any cognizable offence, then he has to register a case and proceed in accordance with law. If the enquiry reveals only a civil dispute, he has to direct the parties to approach the concerned court and get appropriate relief.

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6. Recording the aforesaid submissions, this criminal original petition is disposed of.

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.The District Superintendent of police,
O/o. District Superintendent of Police,
Theni,
Theni District.

2.The Inspector of police,
Aandipatti police station,
Theni District.

3.The Government Advocate (Crl.Side)
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.KARUNANIDHI, Advocate, SR.No.52632

CRL.O.P. (MD) No.2474 of 2018
02.03.2018

PNN
KK/SKN RSK/23.03.2018/SAR-1/2P-5C