



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2633 of 2018

C.Rajamanickam

... Petitioner

-vs-

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

2. The Inspector of Police,
Vaiyampatti Police Station,
Trichy District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent to register the case on the complaint of the petitioner dated 08.01.2018 and the petition receipt No.20/2018 dated 20.01.2018 on the file of the 2nd respondent herein and to investigate and to file a final report within a stipulated time as fixed by this Court.

For Petitioner : Mr.V.Illanchezian
For Respondents : Mr.Prabhu Ramachandran
Government Advocate (Crl.Side)

ORDER

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 08.01.2018.

2.Heard Mr.V.Illanchezian, learned counsel appearing for the petitioner and Mr.Prabhu Ramachandran learned Government Advocate (Crl.Side) appearing for the respondents.

3.The learned counsel appearing for the petitioner has submitted that the petitioner has borrowed a sum of Rs.18 lakhs from the proposed accused and at that time the proposed accused got signature of the petitioner in several blank stamp papers and also cheque leaves. He further submitted that the petitioner has repaid totally a sum of Rs.28 lakhs, which includes the interest. But not satisfied with the same, the proposed accused is demanding



exorbitant interest and directing the petitioner to pay further sum of Rs.13 lakhs and hence the petitioner has lodged a complaint on 08.01.2018, before the second respondent, but so far, no action has been taken.

4.The learned Government Advocate (Crl.Side) appearing for the respondents has submitted that after receipt of the complaint dated 08.01.2018, enquiry was conducted and the same was closed on 22.01.2018, as the dispute is civil in nature. He further submitted that after disposal of the aforesaid complaint, the petitioner has sent another complaint dated 24.01.2018 and the same was still pending for enquiry.

5.Considering the aforesaid submissions, the second respondent is directed to expedite the enquiry in the second complaint and if the said complaint discloses any cognizable offence, then he has to register a case and proceed further in accordance with law.

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

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 cc TO Mr.V.Illanchezian , Advocate in SR No. 53823

das

AE/JC/SAR4/04.04.2018/2P/5C

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