



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2018

CORAM

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.2798 of 2018

D.MOharadulla Sahib

... Petitioner

-Vs-

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

2.The Assistant Commissioner of Police,
City Crime Branch, Trichy.

3.The Inspector of Police,
City Crime Branch,
Trichy.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, directing the third respondent herein to register a FIR over the complaint of the petitioner dated 28.11.2017.

For Petitioner :Mr.S.Sivakumar

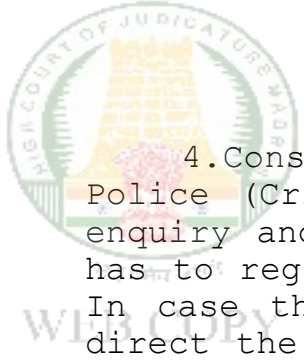
For R1to R3 :Mr.Prabu Ramachandran,
Government Advocate(Crl.side).

O R D E R

This Criminal Original petition has been filed to direct the third respondent to register a case based on the complaint given by the petitioner dated 28.11.2017.

2.The learned counsel for the petitioner has submitted that the company partner after transferring his properties in favour of his family members, filed an insolvency petition. Hence, the petitioner has lodged a complaint before the third respondent on 28.11.2017, but so far, no action has been taken.

3.The learned Government Advocate (Crl.Side) has submitted that the complaint was sent to the first respondent by post and the first respondent has forwarded the said complaint to the Inspector of Police (Crime), Gandhi Market, Trichy and the enquiry is still pending.



4.Considering the aforesaid submissions, the Inspector of Police (Crime), Gandhi Market, Trichy 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 only a civil dispute then he has to direct the parties to approach the Civil Court and get appropriate remedy.

5.With the aforesaid directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.The Commissioner of Police,
Trichy District, Trichy.
- 2.The Assistant Commissioner of Police,
City Crime Branch, Trichy.
- 3.The Inspector of Police,
City Crime Branch,
Trichy.
- 4.The Inspector of Police (Crime),
Gandhi Market, Trichy.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.S.Sivakumar, Advocate, SR.No. 57487

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cp

AM/KKR/SAR 4/03.04.2018/2P/7C