



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2018

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2934 of 2018

A.Ayisha Bhanu

... Petitioner

-vs-

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

2.The Sub-Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent police to register a F.I.R., in the complaint dated 03.02.2018 and act in accordance with law.

For Petitioner	: Mr.M.Jothi Basu
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 03.02.2018.

2.Heard Mr.M.Jothi Basu, 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 proposed accused has borrowed a sum of Rs.9 lakhs from the petitioner and with a view to discharge the said debt, the proposed accused has issued a cheque, in favour of the petitioner, when the same was presented before the bank for encashment and the same was returned on the ground that the signature of the proposed accused not tallied and hence, the petitioner has lodged a complaint before the second respondent on 03.02.2018, but sofar, no action has been taken.



4.The learned Government Advocate (Crl.Side) appearing for the respondents has submitted that compliant is still pending for enquiry.

5.Considering the aforesaid submissions, the second respondent is directed to expedite the enquiry. If the enquiry reveals any cognizable offence, then he has to register a case and proceed further in accordance with law. If the enquiry reveals that an offence under Section 138 of the Negotiable Instruments Act alone made out, then he has to direct the petitioner to file a private complaint.

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

Sd/
Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 2.The Sub-Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madruai Bench of Madras High Court,
Madurai.

+1cc to M/S.G.M.LAW OFFICE, Advocate, SR.No.54373

CRL.O.P. (MD) No.2934 of 2018
09.03.2018

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KK/JC/28.03.2018/SAR-1/2P-5C