



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **P.RAJAMANICKAM**

Crl.O.P.(MD) No.2984 of 2018

Johnsili Moses

... Petitioner

-Vs-

State rep. by

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

2. The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents to register the complaint of the petitioner dated 27.03.2017 and investigate the same in accordance with law and also file the final report.

For Petitioner : Mr.B.Jeyakumar

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

ORDER

This Criminal Original Petition has been filed to direct the respondents to register a case based on the complaint given by the petitioner dated 27.03.2017.

2.The learned counsel for the petitioner has submitted that the proposed accused persons were working in the petitioner's Petrol Bunk and they have misappropriated money to the tune of Rs.13,72,559/- and hence, the petitioner has lodged a complaint before the second respondent on 27.03.2017, but so far, no action has been taken.

3.The learned Government Advocate (Crl.Side) has submitted that after receipt of the complaint, enquiry has been conducted and during enquiry, the petitioner gave statement stating that he will settled the issue out of police station and based on the said



statement, the complaint was closed on 24.08.2017.

4.The learned counsel for the petitioner by way of reply has submitted that the petitioner has received a copy of the report under Right Information Act, in which it is stated that the accused persons have admitted the offence and even thereafter the sub Inspector of Police has passed an order that further proceedings stopped, but actually complaint was not closed.

5.Considering the aforesaid submissions, the second respondent is directed to verify whether any cognizable offence is made out or not. If the enquiry reveals any cognizable offence, then he has to register a case and proceed further in accordance with law.

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

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Kanyakumari District,
Kanyakumari.
 2. The Inspector of Police,
District Crime Branch,
Nagercoil, Kanyakumari District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- + 1 cc TO Mr.B.Jeyakumar , Advocate in SR No. 54801

cp

AE/CVC/SAR1/05.04.2018/2P/5C

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