



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2018

CORAM

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

WEB COPY

Crl.O.P.(MD) No.3140 of 2018

K.Muthusubramanian

...Petitioner

-Vs-

1. The Commissioner of Police,
Madurai Town, K.Pudur,
Madurai - 625 007.

2. The Inspector of Police,
District Crime Branch,
Madurai.

...Respondents

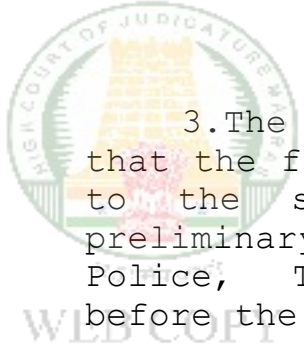
Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents to register the case on the basis of the complaint of the petitioner on 04.01.2018 and consequently direct the respondents to investigate the case and take appropriate action.

For Petitioner	: Mr.V.Sakthivel
For Respondents	: Mr.Prabhu 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 04.01.2018.

2.The learned counsel appearing for the petitioner has submitted that the one Annapoorani has borrowed a sum of Rs.3,50,000/- from the petitioner on 15.05.2013 and issued a cheque to discharge the said loan and when the said cheque was presented for encashment, the same was returned as 'funds insufficient' on her account and thereafter, the petitioner has filed a complaint under Section 138 Negotiable Instruments Act and the same was taken on file in STC.No.392 of 2015 on the file of the learned Judicial Magistrate, No.1, Fast Track Court, Madurai. He further submitted that the learned Judicial Magistrate has disposed of the said case by observing that the act of the accused squarely falls under Section 420 of IPC and hence, the petitioner has sent a complaint to the first respondent by post on 04.01.2018 and the same has been forwarded to the second respondent, but, thereafter, no action has been taken.



3.The learned Government Advocate (Crl.side) has submitted that the first respondent has forwarded the petitioner's complaint to the second respondent and the second respondent after preliminary enquiry has transmitted the case to the Inspector of Police, Thallakulam for further action and the same is pending before the said Inspector for enquiry.

4.Considering the aforesaid submissions, the Inspector of Police, Thallakulam Police Station, 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.

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

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai Town, K.Pudur,
Madurai - 625 007.
2. The Inspector of Police,
District Crime Branch,
Madurai.
3. The Inspector of Police,
Thallakulam Police Station,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.V.Sakthivel, Advocate Sr.No.55803

DAS
VB/SKN/RSK/SAR3/16.04.2018/2P/6C

Crl.O.P.(MD) No.3140 of 2018
15.03.2018