



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD) No.3412 of 2018

K.Asuvathi

... Petitioner

-vs-

1. The Commissioner of Police,
Tirunelveli City, Tirunelveli.

2. The Inspector of Police,
Palayamkottai Police Station,
Palayamkottai,
Tirunelveli District.

... Respondents

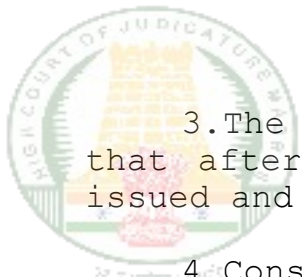
Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent herein to register an F.I.R. on the basis of the petitioner's complaint dated 06.02.2018 lodged before the first respondent herein in person which had been forwarded to the second respondent herein for enquiry.

For Petitioner	: Mr.A.Thiruvadi Kumar
For Respondents	: Mr.Prabu Ramachandran Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the second respondent to register an F.I.R. on the basis of the petitioner's complaint dated 06.02.2018 lodged before the first respondent in person which had been forwarded to the second respondent herein for enquiry.

2.The learned counsel for the petitioner has submitted that one Velladurai has executed a mortgage deed in favour of the petitioner, with regard to the property in D.No.C-36/198, V.O.C.Street, Manakavalam Pillai Nagar, Palayamkottai, after receiving a sum of Rs.5,75,000/-. Subsequently, another mortgage deed was executed on 13.01.2017. Thereafter, the said Velladurai was not re-paying the amount and hence on 05.02.2018, the petitioner had approached the said Velladurai sought for the return of the mortgage money and at that time, the said Velladurai abused the petitioner using filthy language and criminally intimidated him and hence, the petitioner has lodged a complaint before the respondents on 08.02.2018, but, sofar, no action has been taken.



3.The learned Government Advocate (Criminal Side) has submitted that after receipt of the complaint C.S.R.No.38 of 2017 has been issued and the enquiry is still pending.

4.Considering the aforesaid submissions, the second respondent 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.

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

Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
2. The Inspector of Police,
Palayamkottai Police Station,
Palayamkottai,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.A.THIRUVADI KUMAR, ADVOCATE IN SR No. 57114

LS

TE/JC/SAR-4 : 24/04/2018 : 2P/5C

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21.03.2018