



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.01.2018

CORAM:
THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD) No.422 of 2018

K.Kannusamy

... Petitioner

-vs-

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

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

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent to register the case, based on the complaint given by the petitioner herein dated 16.12.2017.

For Petitioner : Mr.M.Jegadeesh Pandian
For Respondents : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, to direct the second respondent to register a case, based on the complaint given by the petitioner dated 16.12.2017.

2.The learned counsel appearing for the petitioner has submitted that the petitioner and the proposed accused persons have formed a real estate company in the name and style of Sri Murugan Real Estate and the petitioner gave a sum of Rs.5,00,000/- for his share and another Rs.5,00,000/- for his brother's share and also another Rs.2,00,000/- totally he has paid Rs.12,00,000/- for the said business. He further submitted that since proposed accused parties refused to give the share in the profit, the petitioner lodged a complaint, before the first respondent on 18.01.2016, and the same was forwarded to the second respondent and during the enquiry, the proposed accused persons promised to pay a sum of Rs.48,50,000/- to the petitioner. Based upon the said promise, they have paid only Rs.20,45,500/-, they failed to repay the balance amount. He further submitted that the petitioner requested the proposed accused persons on 15.12.2017, to repay the balance amount but they were refused to give a profit and threatened him and also used to filthy language and hence the petitioner lodged a second complaint on 16.12.2017 and so far the



second respondent has not taken any steps with regard to the said complaint.

3.The learned Government Advocate (Crl.side) has submitted that since the earlier complaint was closed, after the enquiry, no action has been taken with regard to the second respondent.

4.Considering the aforesaid submissions, the second respondent is directed to enquire the second complaint 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 directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

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

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

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.M.JEGADEESH PANDIYAN,Advocate,SR.41909

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SSS

KK/SV MMS/SAR 1/23.01.2018/ 2P- 5C/