



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.02018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.(MD) No.549 of 2018

WEB COPY

ABS. Xpress Private Ltd.,
No.5, Kajamian School Complex,
TVS Tollgate, Tiruchirappalli- 620 020,
Represented by its Director Operations,
S.A.Sayeed ... Petitioner

Vs.

1.The Superintendent of Police,
Tiruchirappalli.
2.The Inspector of Police,
District Crime Branch,
Tiruchirappalli. ... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 2nd respondent, the Inspector of police, District Crime Branch police station to register a case on the complaint preferred by the petitioner dated 27.03.2017.

For Petitioner : Mr. R.S.Sivaraman
For Respondents : Mr. Prabu Ramachandran
Government Advocate(Crl. Side)

ORDER

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

2.Heard the learned counsel for the petitioner and learned Government Advocate(Crl.side), appearing for the respondents.

3. The learned counsel for the petitioner has submitted that the petitioner entered into a sale agreement with one Kavitha on 14.08.2015. In pursuance of the said agreement, Rs.5,00,000/- (Five Lakhs only) was paid to the said Kavitha. Subsequently, it was found that the said Kavitha is not having title over the property and hence the petitioner demanded the said Kavitha to return the amount. But she refused to pay the amount and hence a complaint has been lodged on 27.03.2017, but so far no action being taken.



4. The learned Government Advocate (Crl. Side) has represented that after receipt of the complaint an enquiry has been conducted and it was found that it is a civil dispute and hence the petition was closed directing to the petitioner to approach the civil court.

5. By way of reply the counsel for the petitioner has submitted that the petitioner has not received any communication with regard to the closing of the complaint.

6. Considering the aforesaid submissions, the second respondent is directed to send a communication to the second respondent with regard to the disposal of the complaint and it is open to the petitioner to seek appropriate remedy before proper forum.

7. With the aforesaid observations, this Criminal Original petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tiruchirappalli.

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

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

+1cc to Mr. R. S. SIVARAM, Advocate, SR. 42378

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PNN/GSP

KK/KKR/SAR 1/25.01.2018/ 2P- 5C/