

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 09.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR****Crl.O.P. (MD) No.11297 of 2018**

S.M. Agencies

A Proprietary Concern

Represented by its Managar,

P.Saravana Kumar

... Petitioner

Vs.

1. State of Tamil Nadu,

Represented by its

Assistant Commissioner of Police,

CCB, Trichy, Thiruchirappalli District.

2. The Inspector of Police,

Gandhi Market Police Station, Trichy,

Thiruchirappalli District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents to register the complaint of the petitioner dated 27.04.2018 within a time frame as may be fixed by this Court.

For Petitioner : Mr.K.Sivabalan

For Mr.P.Kumanan

For Respondents : Mr.K.K.Ramakrishnan,

Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed, seeking a direction to the respondents to register the complaint of the petitioner dated 27.04.2018 within a time frame as may be fixed by this Court.

2.The learned Additional Public Prosecutor appearing for the respondents would submit that the complaint of the petitioner has been enquired. During the enquiry, the proposed accused has agreed to pay all the amounts to the petitioner and the same was accepted by the petitioner. Therefore, on the request of the petitioner, the said complaint was closed. Subsequently, further amount has not been paid to the petitioner. Hence, the petitioner is before this Court, alleging that the complaint has not been registered against the proposed accused. Therefore, the present Criminal Original Petition is not maintainable.



3. It is an admitted fact that the said complaint was closed based on the request of the petitioner. But, however, the balance amount has not been settled to the petitioner by the proposed accused. Therefore, as has been rightly pointed out by the learned Additional Public Prosecutor that this petition is not maintainable. If the petitioner has any grievance, it is open to the him to workout his remedy before the appropriate forum.

4. Accordingly, this Criminal Original Petition is dismissed with the above observation.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Assistant Commissioner of Police,
State of Tamil Nadu,
CCB, Trichy, Thiruchirappalli District.
2. The Inspector of Police,
Gandhi Market Police Station, Trichy,
Thiruchirappalli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.P.Kumanan, Advocate Sr.No.71814

MYR

VB/RP/SAR3/16.07.2018/2P/5C

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