



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Crl.O.P. (MD) No.12051 of 2018

Ligori Vanji Arasu

... Petitioner

Vs.

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

2. The State rep by
The Inspector of Police,
Pettai Police Station,
Pettai,
Tirunelveli District.

... Respondents

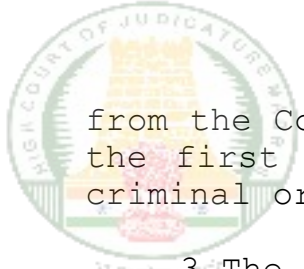
PRAYER: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents particularly the 2nd respondent to register his complaint dated 26.06.2017 as a crime forthwith and conduct investigation in accordance with law and after concluding the same lay the final report before the Court concerned.

For Petitioner : Mr.J.Sankarapandian
For Respondents : Mr.K.Suyambulingabharathi
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent to register the petitioner's complaint dated 26.06.2017 and conduct investigation in accordance with law and after concluding the same lay a final report before the Court concerned.

2.The learned counsel appearing for the petitioner would submit that there is a dispute between the company viz., M/s.Karpagam Spinners Private Limited and the Employees State Insurance Corporation, the National Company Law Tribunal has initiated the proceeding in T.C.P.No.225(1B)/CB/2017. Pursuant to the interim order passed by the Tribunal, one Ragavendran, was appointed as receiver on 19.07.2017. Subsequently, the Company was inspected and the list of machineries has been noted by the receiver and thereafter, last week of August 2017, the said machineries were lost



from the Company. Hence, the petitioner has preferred a complaint to the first respondent. Since no action has been taken, the present criminal original petition has been filed for the aforesaid relief.

3. The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the issue between the parties is pending before the National Company Law Tribunal and hence, the said complaint was closed.

4. Recording the submission made by the learned Government Advocate (Crl.side), nothing survives for adjudication in this petition. Hence, this Criminal Original Petition is dismissed. However, liberty is given to the petitioner to work out his remedy before the appropriate forum in the manner known to law.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS-III)

To

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

+ 1 CC TO Mr.J.SANKARAPANDIAN, ADVOCATE IN SR No. 73626

NS

TE/SV/SAR-3 : 30/07/2018 : 2P/5C

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