

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 01.03.2019

CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.5320 of 2019
and W.M.P.No.6041 of 2019

M.Kumaran

...Petitioner

Vs.

1.The Commissioner of Police,
Vepery,
Chennai-600 007.

2.The Inspector of Police, Law & Order
J-13, Tharamani Police Station,
Nehru Street, Kanagam,
Tharamani, Chennai-600 113.

3.N.Gnanachitra

4.C.V.Mohan

...Respondents

rep. By its Power of Attorney Agent
K.Jaganathan.

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to direct the respondents 1 and 2 to drop further proceedings on the complaint lodged by C.V.Mohan represented by his POA K.Jaganathan against me and consequently not to register FIR under Chapter XVII (offences against property) and XVIII (offences relating to documents and to property marks) of IPC.

For Petitioner : Mr.Senapathi

For Respondents: Mr.M.Mohamed Riyaz, for R1 & R2
Additional Public Prosecutor

O R D E R

This petition has been filed for a direction to direct the respondents 1 and 2 to drop further proceedings on the complaint lodged by C.V.Mohan represented by his POA K.Jaganathan against the petitioner and consequently not to register FIR under Chapter XVII (offences against property) and XVIII (offences relating to documents and to property marks) of IPC.

2.By consent, the writ petition is taken up for final disposal.

3.The learned counsel appearing for the petitioner would submit that already the case has been registered as against the petitioner in Crime NO.512 of 2018 and he was arrested and remanded to Judicial Custody and released on bail. Based on the allegations, the first and second respondents are taking further steps to register an other case as against the petitioner under Chapter XVII (Offences against property) and XVIII (Offenses relating to documents and to property marks) of IPC.

4.The learned Additional Public Prosecutor would submit that the representation of the petitioner is pending with the second respondent for consideration.

5.Heard Mr.Senapathi, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondents 1 & 2.

6.Considering the above facts and circumstances of the case, this Court is inclined to direct the first and second respondents before taking any action as against the petitioner, consider the request of the petitioner and pass appropriate orders.

7.With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mpa/at

To

1.The Commissioner of Police,
Vepery,Chennai-600 007.

2.The Inspector of Police, Law & Order
J-13, Tharamani Police Station,
Nehru Street, Kanagam,
Tharamani, Chennai-600 113.

3.The Public Prosecutor,
High Court of Madras.

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SV(CO)
RRS(25/04/2019)