

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.07.2019

CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17346 of 2019

Mohammed Ali Jinna

... Petitioner

Vs.

The Inspector of Police(Crime),
B-1, North Beach Police Station,
Parrys, George Town,
Chennai-600 001,
Crl.M.P.No.Not Known of 2019

... Respondent

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to set aside the docket order 10.06.2019 passed by the Learned VII Metropolitan Magistrate Court at George Town, Chennai in Crl.M.P.No.Not known of 2019 and to direct the Learned VII Metropolitan Magistrate Court at George Town, Chennai, Crl.M.P.No.Not Known of 2019 to take the above complaint given by the petitioner on file.

For Petitioner : Mr.J.N.Naresh Kumar

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed challenging the order passed by the Court below dismissing the petition filed by the petitioner under Section 156(3) of Cr.P.C. The Court below has dismissed the petition on the ground that the petitioner is agitating the right after nearly 12 years when the original cause of action has arisen in the year 2007 itself.

2.This Court does not find any illegality or infirmity in the order passed by the Court below. Taking into consideration the nature of the complaint, it will be better if the petitioner agitates his grievance before the appropriate Court and get refund of the amount deposited by him, at the time, when the auction was declared in favour of the petitioner. If the petitioner wants to pursue his remedy only before the Criminal Court, it is left open to the petitioner to file a private complaint and proceed further in accordance with law.

3.In the result, this Criminal Original Petition is dismissed, by giving liberty to the petitioner to work out his remedy. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

pnn

To

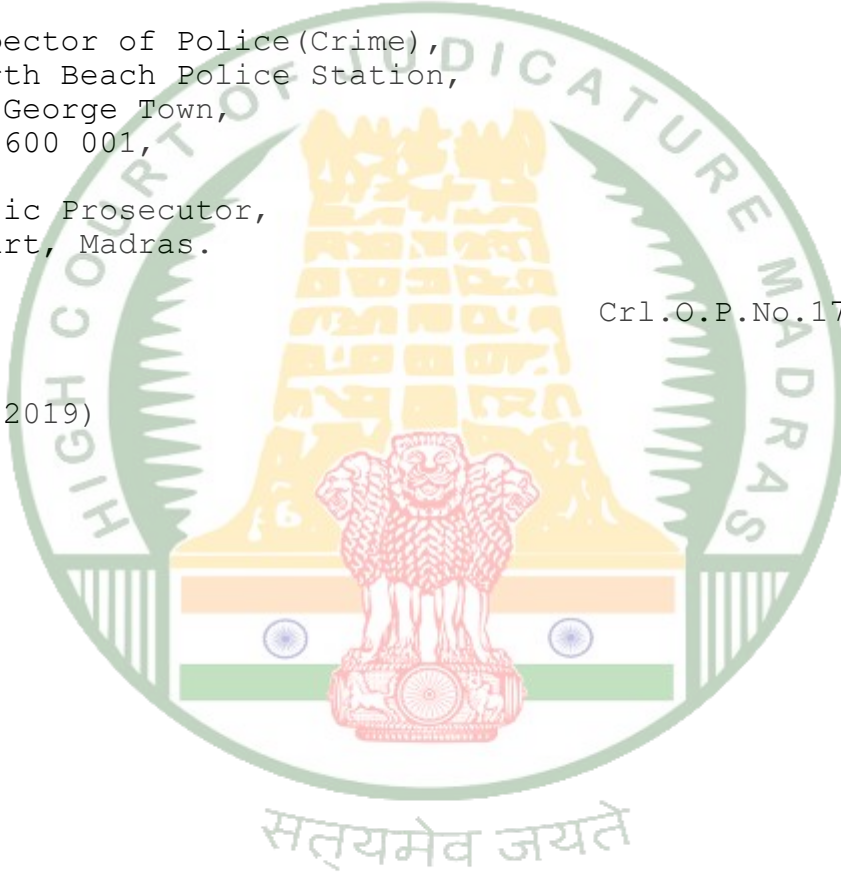
1.The Inspector of Police(Crime),
B-1, North Beach Police Station,
Parrys, George Town,
Chennai-600 001,

2.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.17346 of 2019

VSN II(CO)

RRS(06/08/2019)



WEB COPY