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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.14094 of 2021

Arumugam @ Mannadi Arumugam

... Petitioner

Vs.

The Inspector of Police,
B-2, Esplanade Police Station,
High Court Campus,
Chennai.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register petitioner complaint dated 21.04.2021.

For Petitioner : Mr.P.Muthamizhselvakumar

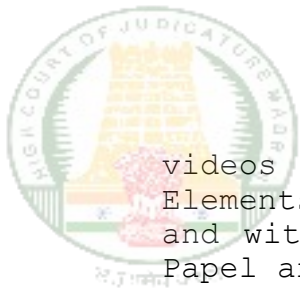
For Respondent : Mr.A.Damodaran
Government Advocate [Crl. Side]

O R D E R

This Criminal Original Petition is filed to direct the respondent to register petitioner complaint dated 21.04.2021.

2.The petitioner/defacto complainant had lodged a complaint in Crime No.675 of 2019 for the offence under Sections 385, 386, 387, 389, 395, 420 and 506 (ii) r/w 34 IPC. The petitioner had sent a complaint dated 21.04.2021 to the respondent on 22.04.2021 and thereafter no action has been taken. Hence, the petitioner has filed the above Criminal Original Petition.

3.The contention of the petitioner is that the petitioner is a practicing Advocate and he is in the profession for past ten years, attending various courts around the state. He is also the founder of the All India Hindu Lawyers Association and also a member of the Prime Political Party and very actively involved in various social service programs. During the previous Assembly Election, he supported the prime candidate in the Harbour Constituency, at that time a person viz., Ankit Papal opened his page book and uploaded some videos and photos. Further the



videos contained that the petitioner is a leader of Anti Social Elements and a Rowdy gang, further he was in possession of a gun and with an intention to grab the shop of the above said Ankit Papel and the petitioner thus moving around.

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4.The said Ankit Papel running a jewellery shop in the name and style of Payal Jewelleries. The petitioner along with the candidate of the Harbour Constituency said to have stolen the jewellery by breaking open the doors of the shop and thereby committed the theft of properties worth about Rs.1,50,00,000/- (Rupees one crore fifty lakh only).

5.Further the petitioner was projected having connection with Mumbai gangster. Further the photographs of the petitioner has been morphed to show the petitioner was in possession of two pistols. The allegations are serious in nature. The said Ankit Papel is an accused in Crime No.675/2021, in which the said Ankit Papel as a handy man working in a prominent political party, which is opposed to the petitioner's ideology. The respondent police had not conducted proper investigation on the complaint of the petitioner, despite submitting the complaint and the CD containing the recordings.

6.The learned Government Advocate (Crl. Side) submitted that in this case on the complaint of the petitioner enquiry was conducted and found that the complaint of the petitioner was without any substance and it was made for political reasons. Admittedly, the petitioner and the person against whom he lodged complaint to the rival political party, the complaint was a motivated one. After detailed enquiry the respondent closed the case by report dated 09.08.2021.

7.The learned counsel appearing for the petitioner submitted that the petitioner was not aware of the enquiry conducted. The contention of the petitioner is that he was never called for any enquiry and only explanation was sought from him and he had sent his explanation and thereafter was not enquired. The petitioner is not aware of the closure report dated 09.08.2021 and the same was not served on him.

8.In view of the same, this Court directs the respondent police to serve the copy of the closure report dated 09.08.2021 to the petitioner either personally or to the address mentioned in the petition with proper acknowledgement. Thereafter, it is for the petitioner to take the case to its logical end if he so desires.



9. Accordingly, this Criminal Original Petition stands dismissed.

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Sd/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
B-2, Esplanade Police Station,
High Court Campus,
Chennai.

2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.14094 of 2021

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