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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.15092 OF 2021

J.Vinod David

... Petitioner

Versus

1. State rep. by
The Commissioner of Police,
Greater Chennai,
Vepery, Chennai-600 007.
2. The Assistant Commissioner of police,
Pallavaram Range,
Pallavaram.
3. The Inspector of Police,
Pallavaram Police Station,
Pallavaram, Chennai.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register the complaint dated 18.04.2021 and investigate the matter.

For Petitioner : Mr.M.Madhan Kumar

For Respondent : Mr.A.Damodaran,
Govt. Advocate (Crl.side)



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ORDER

(This case has been heard through Video Conference)

The petitioner lodged a complaint to the 3rd respondent on 18.04.2021 and thereafter C.S.R. No. 431 of 2021 assigned and no action has been taken. Hence, this petition has been filed.

2. The contention of the petitioner is that the petitioner is working in a private firm namely Alina Private Limited Company at Chrompet, wherein the counter petitioner one S.Ravi is carrying on the contract of transportation. On 09.09.2019, the petitioner had purchased a vehicle bearing No. TN-21-J-5825 for Rs.4,70,000/- and another vehicle bearing No. TN-22 DK-6068 on 20.12.2019 for Rs.4,59,000/-. Though the said S.Ravi promised to transfer the vehicle to the petitioner's name, he failed to do so, despite several reminders. The transfer of money to the account of S.Rami is confirmed. The respondent police has called for enquiry and that the said Ravi had appeared and admitted about the receipt of money and agreed to hand over vehicles and sought time to transfer the vehicle documents., failing which, he would repay the entire amount. Thereafter, C.S.R. has been closed on 22.04.2021.

3. The learned Government Advocate (crl. side) appearing for respondents would submit that, both the petitioner and the counter petitioner S.Ravi appeared and agreed between themselves to settle the issue and thereafter reported to the 3rd respondent police. On such submission, the C.S.R. was closed. Surprisingly the said S.Ravi has sent a legal notice dated 20.05.2021 making allegations against the Sub-Inspector of Police attached to the 3rd respondent and also the said S.Ravi was forced to execute documents and to arrive at a settlement. The Sub-Inspector of Police attached to the 3rd respondent had conducted enquiry as per law and nothing more. Now, false allegations have been made. On one hand, the petitioner makes a complaint that, no action taken, and on the other, the complainant makes allegations that the Sub-Inspector of Police had forced the said Ravi to settle the issue and the materials have been produced.

4. I have considered the submissions made on either side and perused the materials available on records carefully.



5. On perusal of the materials and from the bank statement, it is seen that there have been some money transaction between them. Now, the said Ravi gone back and makes allegations against the 3rd respondent. In view of the same, the 3rd respondent to reopen the CSR, calling them for enquiry, if cognizable offence is made out, to proceed according to law.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS-VI)

// True Copy //

Sub Assistant Registrar

rpp/gd

To

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai-600 007.
2. The Assistant Commissioner of police,
Pallavaram Range, Pallavaram.
3. The Inspector of Police,
Pallavaram Police Station,
Pallavaram, Chennai.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Madhan Kumar, Advocate, S.R.No.43977

CRL.O.P.No.15092 of 2021

NRL(CO)
RLP(23/09/2021)