



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.20387 OF 2021

R.Balaji

... Petitioner

Versus

1. The Deputy Commissioner of Police,
R-1, Mambalam Police Station,
1st Floor, Madley Road,
T.Nagar, Chennai - 600 017.

2. The Inspector of Police
R-5 Virugambakkam Police Station
Chennai 600 092.

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register the FIR in complaint dated 12.10.2020.

For Petitioners	:	Mr.R.C.Paul Kanagaraj
For Respondents	:	Mr.R.Vinothraja, Government Advocate (crl.side)

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent to register the petitioner's complaint, dated 12.10.2021.

2. The learned counsel for the petitioner submitted that the petitioner had sent a complaint on 26.12.2020 to the Inspector of Police, Virugambakkam Police Station. Thereafter CSR No.588 of 2021 assigned and no action has been taken so far and he is not aware about the outcome of the said complaint.

3. The learned Government Advocate (crl.side) submitted that the petitioner as well as the counter complainant were



called for enquiry. During enquiry, the petitioner submitted that he was not aware about the mortgage of the property and SARFAESI proceeding is not pending. He further submitted that from the Memorandum of Understanding produced by the counter complainant, it is seen that there is a specific clause with regard to the mortgage of the property. Further, the counter complainant had given an undertaking that he would settle the issue with the petitioner within six months, and for that reason, enquiry is kept pending.

4. Considering the above submission, the respondent police is directed to call the petitioner as well as the counter complainant for enquiry and thereafter to proceed in accordance with law.

5. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mrp/mdl

To

1. The Deputy Commissioner of Police,
R-1, Mambalam Police Station,
1st Floor, Madley Road,
T.Nagar, Chennai-600 017.
2. The Inspector of Police
R-5 Virugambakkam Police Station
Chennai 600 092.
3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.20387 of 2021

PL(CO)
PM/01/12/2021