



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2022

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.Nos.1437 and 1528 of 2022

M.Arumugam ... Petitioner in Crl.O.P.No.1437 of 2022

K.Balamurali ... Petitioner in Crl.O.P.No.1528 of 2022

Vs.

1.The Superintendent of Police,
Office of Superintendent of Police,
Thiruvannamalai District.

2.The Inspector of Police,
District Crime Branch,
Thiruvannamalai District. ... Respondents in both the Crl.OPs

PRAYER in Crl.O.P.No.1437 of 2022: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register the case on the basis of the complaint of the petitioner dated 11.08.2018, complaint No.11/DCB/online/2018.

PRAYER in Crl.O.P.No.1528 of 2022: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to register the case on the basis of the complaint of the petitioner dated 01.08.2018.

For Petitioners : Mr.P.G.Thiyagu in both the Crl.O.Ps

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor.
in both the Crl.O.Ps

COMMON ORDER

These Criminal Original Petitions have been filed to direct the 2nd respondent to register the case on the basis of the complaint of the petitioners in both criminal original petitions, dated 11.08.2018, complaint No.11/DCB/online/2018 and 01.08.2018.

2.The petitioners herein had entered into a sale agreement with one S.Shakul S/o Shajakhan and P.Kumar, who had developed a



lay out in the name and style of 'Jai Anjaneyar Nagar' along with one S.M.Shanvaaz and A.M.Abduljafar. The abovesaid persons received the amount and executed the sale agreements, but the sale deeds have not been executed so far. The petitioners went in search of one S.Shakul and P.Kumar, but their whereabouts were not known. Hence filed this petition.

3.The learned Additional Public Prosecutor submits that the complaint was given in the year 2018 and the same received in C.No.2698 of 2018. The petitioner appeared and the said S.Shakul was in Dubai, hence, the complaint closed on 16.09.2021.

4.Finding that the petitioners have been cheated by creating forged documents and a prima facie case is made out, both the petitioners are directed to appear before the second respondent, to lodge a fresh complaint and thereafter, the respondent police to dispose of the complaints in the manner known to law. Further, the whereabouts of the other persons, namely, P.Kumar, S.M.Shanvaaz and A.M.Abduljafar, to be ascertained and to call for enquiry, in the event of registering FIR, necessary steps to be taken to issue LOC against the said S.Shakul and investigation to be completed within a period of three months. The period of three months is only an outer limit. Accordingly, these Criminal Original Petitions are disposed of.

Sd/-

Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Office of Superintendent of Police,
Thiruvannamalai District.

2.The Inspector of Police,
District Crime Branch,
Thiruvannamalai District.

3.The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.P.G.Thiyagu, Advocate SR.No.4674, 4675

CRL.O.P.Nos.1437 and 1528 of 2022

NK(CO)

GMV(18/02/2022)