



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1727 of 2022

C.Kalyanasundaram

... Petitioner

Versus

The State:

Rep. by its Inspector of Police,
Central Crime Branch,
Police Commissionerate,
Vepey, Chennai - 3.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register the FIR on the complaint dated 15.12.2021, which was given by the petitioner in person and may pass suitable order as this Court may deem fit and necessary.

For Petitioner : Ms.Yuvasri for Mr.P.Vijendran

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to direct the respondent to register the FIR on the complaint dated 15.12.2021, which was given by the petitioner in person and may pass suitable order as this Court may deem fit and necessary.

2.Ms.Yuvasri, learned counsel appearing for the petitioner submits that the petitioner is a Senior Citizen, who is aged about 72 years. His son viz., Karthick is presently employed in Soudhi Arabai. During 30.06.2015, the petitioner's son had given a Power of Attorney to the petitioner to purchase a property and make investment. His son's friend Vignesh was aware about the investment plan. The said Vignesh introduced his maternal uncle viz., Rajendran, who is involved in the real estate business and he informed about the property situated at Sri Lakshmi Amman Nagar, Puthagaram. On his representation, he had produced some documents and informed that the above said



property is free from encumbrance and the property can be registered on payment of money. The petitioner agreed for the same. Thereafter the petitioner's son paid a sum of Rs.63,05,106/- through various banks on various dates from 04.01.2021 to 01.03.2021, within a period of two months major portion of the amount paid. Thereafter the petitioner was asked to make ready the documents of the property for registration.

3.She further submits that the petitioner had purchased stamp papers to the tune of Rs.3,15,000/- and also made ready for registration and stamp duty payment of Rs.1,84,200/-, the sale documents were produced before the Sub Registrar and the Sub Registrar had some doubt and directed the said Rajendran to produce his vendor. The Sub Registrar enquired the vendor, found that the parent documents produced by the said Rajendran were fake and forged one. Thereafter the petitioner asked the said Rajendran to repay the amount received by him, the said Rajendran failed to repay the amount to the petitioner. On 20.04.2021, the said Rajendran gave an undertaking that he would repay the amount on or before 30.04.2021 and handed over four cheques. The said Vignesh and Rajendran are evading to repay the amount. In the interregnum period the petitioner's son Karthick came to Chennai. The petitioner's son immediately met Vignesh at his home and asked return of money. For which the said Vignesh threatened the petitioner's son with dire consequences.

4.Having no other alternative, the petitioner lodged a complaint before the Commissioner of Police, Vepery and the Commissioner of Police received the complaint dated 15.12.2021, forwarded the same to the Inspector of Police, CCB vide C.No.834 of 2021. Thereafter, it is almost more than a month, till date the petitioner is not even called for any enquiry and thereafter nothing happened. Hence he filed the above petition.

5.The learned Additional Public Prosecutor submits that the complaint has been received by the Inspector of Police, CCB, steps will be taken, if cognizable offence is made out, the respondent police on enquiry, will register an FIR, and conduct investigation.

6.Considering the submissions and on perusal of materials, this Court finds the complaint discloses cognizable offence. In view of the same, the Inspector of Police, CCB is directed to register the FIR, conduct investigation on the complaint of the petitioner dated 15.12.2021.



7. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CS-VI)

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Sub Assistant Registrar

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To

1. The Inspector of Police,
Central Crime Branch,
Police Commissionerate,
Vepery, Chennai - 3.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr. P. Vijendran, Advocate SR.No.5907

CRL.O.P.No.1727 of 2022

PMK (CO)
GN (18/02/2022)