



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.25126 of 2021

Vignesh

... Petitioner

Vs.

1. The State rep by

The Deputy Commissioner of Police,
O/o Deputy Commissioner of Police,
Madhavaram, Chennai - 600 021.

2. The Inspector of Police,

M-8, Sathangadu Police Station,
Thiruvottriyur, Chennai - 600 068.

...Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code to direct the 2nd respondent police to register the petitioner's complaint dated 17.11.2021 vide CSR No.133 of 2021 dated 21.07.2021 and file a fresh FIR and investigate the same in accordance with law.

For Petitioner : Mr.R.Thirumoorthy

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

ORDER

The Criminal Original Petition has been filed to direct the 2nd respondent police to register the petitioner's complaint dated 17.11.2021 vide CSR No.133 of 2021 dated 21.07.2021 and file a fresh FIR and investigate the same in accordance with law.

2.The grievance of the petitioner is that the petitioner gave a complaint to the Inspector of Police, Sathangadu on 17.11.2021 that he was cheated to the tune of Rs.6,00,000/-. Though CSR No.133 of 2021 assigned, no action has been taken.

3.The petitioner was searching for a house on lease, at that time, Priya and her husband, who are residing Mudichur, having a house at Door No.38, Thiruvottriyur, advertised in the OLX. On seeing the same, the petitioner approached them,



initially paid a sum of Rs.1,00,000/- as advance, thereafter, at the time of agreement, the petitioner transferred a sum of Rs.5,00,000/- to them through bank. Thereafter, possession not handed over to him. When the petitioner asked for possession, initially informed that earlier tenant not yet vacated and key would be given. Later, the petitioner made several requests, they gave one reason or the other. The petitioner, hailing from ordinary modus background after selling Jewels, with great difficulty, mobilized a sum of Rs.6,00,000/-, with the hope and idea that taking a house on lease would save him receiving expenditure of rent, hence, sold the jewels and handed over Rs.6,00,000/- to Priya and her husband. Now, the said Priya and her husband are threatening petitioner, the respondent police, despite receiving the complaint of the petitioner submitted with particulars, no action taken.

4.The learned Additional Public Prosecutor submits that the petitioner's complaint is still pending at the enquiry stage. The petitioner sent a complaint to the District Superintendent of Police, which was forwarded to the first respondent, enquiry is still pending. Soon, the said Priya and her husband to be called for enquiry and after verification of the bank account and OLX advertisement, if the cognizable offence is made out, FIR will be registered and appropriate action will be taken.

5.The learned counsel for the petitioner submits that his endeavor is that the petitioner's hard earned money of Rs.6,00,000/- to be returned back to him. He has no mean of material and strength to have a long battle to retrieve back his cheated money.

6.In view of the same, the petitioner to appear before the respondent police on 10.02.2022 along with the copy of the complaint, with supporting documents and give his explanation. Thereafter, the Inspector of Police, Sathangadu, is directed to enquire and proceed in accordance with law, take earnest effort to retrieve the cheated amount.

7. With the above directions, the criminal original petition is disposed of.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

sms



To

1. The State rep by
The Deputy Commissioner of Police,
O/o Deputy Commissioner of Police,
Madhavaram, Chennai - 600 021.

2. The Inspector of Police,
M-8, Sathangadu Police Station,
Thiruvottriyur, Chennai - 600 068.

3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.25126 of 2021

EV(CO)
SB(09/02/2022)