



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23155 of 2021

K.T.Premsankar @ Prem Nivaas

... Petitioner

Vs.

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
East Police Station,
Virudhunagar.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to take necessary action upon petitioner's complaint dated 17.11.2021 which is pending before the respondents.

For Petitioner : Mr.P.Venkatesan,

For Respondents : Mr.B.Thanga Aravindh
Government Advocate.

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

2.The petitioner alleges that his father-in-law cheated him to the tune of Rs.12,00,000/-. His grievance is that even though he gave complaint before the second respondent, no action was taken thereon.

3.When the matter was taken up for hearing, the learned Government Advocate submitted that the entire cause of action appears to have been taken place outside India and therefore, in view of proviso to Section 188 of CrPC, the police will not even be competent to enquire the same. In the typed set enclosed along with this writ petition, no proof has been adduced to show that even a part of cause of action took place within India. In these



circumstances, it is not possible to grant any relief in this writ petition. The writ petition stands dismissed. However, the petitioner is given liberty to move jurisdictional Magistrate Court with appropriate materials. No costs.

Sd/-

Assistant Registrar (AS)

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Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

- 1.The Superintendant of Police,
Virudhunagar District,
Virudhunagar.
- 2.The Inspector of Police,
East Police Station,
Virudhunagar.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RD(19.01.2022) 2P 4C