



Crl.O.P.No.32249 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.32249 of 2022

G.Dhanasekaran

... Petitioner

Vs.

1. The State Rep by,
The Assistant Commissioner of Police,
Office of the Assistant Commissioner,
T.Nagar,
Chennai - 600 017.

2. The Inspector of Police,
E-3, Teynampet Police Station,
Teynampet,
Chennai - 600 006.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 2nd respondent police to register the FIR based on the petitioner's complaint dated 30.05.2022.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.S.Santhosh

Government Advocate (Criminal side)



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ORDER

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This Criminal Original Petition has been filed seeking direction to the 2nd respondent police to register the FIR based on the petitioner's complaint dated 30.05.2022.

2. The learned counsel for the petitioner submitted that one Kalanithi held a post of Vice Chancellor of Anna University during the period from 1998 to 2002. He long with his wife Rajalakshmi, and their daughter Gayatri, in order to convert the bribe money, asked the petitioner to get loan from others for the purpose of purchase of property. In the said circumstances, the petitioner had obtained loan of Rs. 9,53, 63,000/- from persons associated with him and had given the amount to the said Kalanithi. Apart from that, a sum of Rs.2,55,00,000/- have been collected for getting employment in Anna University. When these amounts were asked to be repaid, the accused Kalanithi, Rajalakshmi had invited the petitioner on 09.05.2022 and 10.05.2022 to Crown Plaza Hotel and made death threat. Hence, the petitioner lodged a complaint against the accused persons, for which, the respondent police has evoked no response.



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3. The learned Government Advocate (Crl. Side) submitted that on the basis of the complaint given by the petitioner on 30.05.2022, enquiry was conducted in CSR No.238 of 2022 and the same was closed on 02.06.2022 as mistake of fact. Thereafter, the petitioner again represented a complaint before the 1st respondent on 24.06.2022. Based on which, current paper enquiry in C.No.241 /ACTEY/PG II/2022 was conducted and the same was closed as mistake of fact.

4. Heard the submissions. Reading of the complaint shows that with regard to lending of money and collection of money under the guise of receiving employment during the year 1995 to 2002, it appears that the petitioner made claim for repayment only in the year 2022 ie on 09.05.2022 and 10.05.2022. If the allegations made in the complaint are true, petitioner is also a part of the conversion of bribe money to white money and collection of money for securing Job in Anna University. He should also be made as an accused in this case. However, it is seen from the submissions of the learned Government Advocate (Crl. Side) that the petitioner has not produced even a single piece of evidence in support of the allegations made in the complaint, for which, both the complaints



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were closed as mistake of fact. Even now, the petitioner has not produced single piece of paper in support of his claim that he received loans from several persons and paid to the accused to the tune of Rs.9,53,63,000/-. Similarly, there is no evidence produced to support his claim for the collection of Rs.2,55,00,000/- by Kalanithi for getting employment in Anna University.

5. This Court finds that the allegations are made without any supporting materials and substances. Hence, this Criminal Original Petition is dismissed with Costs.

6. Accordingly, the petitioner is directed to make non refundable deposit of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of Chief Justice Relief Fund, High Court of Madras, within a period of three weeks from today.

02.01.2023

Sma

Index: Yes/No

Speaking/Non speaking order

To



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1. The Assistant Commissioner of Police,
Office of the Assistant Commissioner,
T.Nagar,
Chennai - 600 017.
2. The Inspector of Police,
E-3, Teynampet Police Station,
Teynampet,
Chennai - 600 006.
3. The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN.J.,



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