



Crl.O.P.No.32331 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.32331 of 2022

Selvam

... Petitioner

Vs.

State rep by

1.The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai 600 007.

2.The Inspector of Police,
E-1, Mylapore Police Station,
Chennai.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C.,
to direct the second respondent police to register a case on the petitioner's
complaint dated 07.11.2022.

For Petitioner : Mr.G.Anbuchezeiyan

For Respondents : Mr.S.Santhosh,
Government Advocate (crl.side)



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ORDER

This Criminal Original Petition has been filed to direct the second respondent to register the case based on the petitioner's complaint dated 07.11.2022.

2. The learned counsel appearing for the petitioner submitted that the petitioner had entered into an agreement with Reliance Jio Company for laying cables at Chengalpattu, Theni, Madurai, Ambasamuthiram, Kanyakumari. The petitioner had performed his work as per the agreement. The Reliance Company is liable to pay a sum of Rs.42,63,662/- to the petitioner. However, the said amount has not been paid by the said company. The petitioner gave a complaint against the Reliance Jio Company and a case has been registered Crime No.197 of 2018 for the offence under Section 420 of IPC. Thereafter, Reliance Company requested the petitioner that they will settle the entire amount, if he withdraw the case. Believing the words of the company, the petitioner had withdrawn the complaint. Later, the company had settled only a sum of Rs.9,07,500/- to the petitioner. Again the petitioner gave a complaint against the Reliance company. Since no FIR has been registered, the present petition has been filed.



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3. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that on the basis of the earlier complaint given by the petitioner, a case in Crime No.197 of 2018 has been registered for the offence under Section 420 of IPC by the Mylapore Police Station. On the basis of the complaint, enquiry has been conducted and it is pending.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondents.

5. This Court on going through the materials filed by the learned counsel for the petitioner, finds that no supporting materials were produced before this Court viz., the agreement entered with Reliance Company, payment already paid etc. Not even FIR copy of the earlier complaint was available in the petition. Considering the fact that since already one FIR was registered on the basis of the same allegation, the prayer sought by the learned counsel for the petitioner seeking registration of another FIR for the same allegation cannot be maintained.



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G.CHANDRASEKHARAN,J.

shk

6. Accordingly, this Criminal Original Petition stands dismissed.

03.01.2023

shk

To

- 1.The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai 600 007.
- 2.The Inspector of Police,
E-1, Mylapore Police Station,
Chennai.
3. The Public Prosecutor,
High Court of Madras.

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