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CrL.OP.No.19500 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrL.OP.No.19500 of 2024

M/s.Indra Project & Development (T) Pvt Ltd.,
Represented by its Chairman,
Bhupesh Nagarajan,
No116, Anna Salai, Little Mount,
Chennai-15.

... Petitioner

Vs.

1. The Superintendent of Police,
Villupuram District, Villupuram.
2. The Deputy Superintendent of Police,
District Crime Branch, Villupuram.
3. The Sub Inspector of Police,
District Crime Branch, Villupuram.
4. Sriram

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, to direct the respondents 2 and 3 not to harass the petitioner company and its employees under the guise of enquiry.



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For Petitioner : Mr.J.Pooventhera Rajan
For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)
for R1 to R3

ORDER

The petitioner herein who claims to be the developer called by the respondent police to investigate the complaint given by one Sriram registered in CSR.No.26 of 2024. The petitioner herein claims that he is the builder who entered into an agreement with the defacto complainant for three plots for consideration of Rs.41,00,000/- .

2. According to the petitioner, construction agreement was entered between the parties for three plots. Consideration has been received. Since the money was not adequate he has agreed to transfer two plots, for which the defacto complainant has not agreed and given a complaint.

3. According to the petitioner, it is purely a civil dispute where the contract provides for arbitration clause. Instead of invoking arbitral remedy, police complaint been given.

4. However, on reading the terms of agreement as well as the



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complaint, it appears that after receiving money agreeing to construct three plots, the petitioner herein has come forward to give only two plots by itself a matter which has trapping of cheating.

5. In view of the above, this Criminal Original Petition is disposed of.

13.08.2024

Vv

To

1. The Superintendent of Police,
Villupuram District, Villupuram.
2. The Deputy Superintendent of Police,
District Crime Branch, Villupuram.
3. The Sub Inspector of Police,
District Crime Branch, Villupuram.
4. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN,J.



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Vv

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