

Nagaraj Vs. The Superintendent of Police, Dindigul District and Another

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Court : Chennai Madurai

Decided On : Jun-13-2016

Judge : The Honourable Dr.(Mrs.) Justice S. Vimala

Appeal No. : Crl.O.P.(MD) No. 8454 of 2016

Appellant : Nagaraj

Respondent : The Superintendent of Police, Dindigul District and Another

Judgement :

(Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 2nd Respondent to register the case on the basis of the petitioner's complaint dated 20.05.2016.)

1. This petition has been filed to direct the 2nd Respondent to register the case on the basis of the petitioner's complaint dated 20.05.2016.
2. The learned Government Advocate (Crl.Side) would submit that on the basis of the complaint given by the petitioner, petition enquiry is pending in CSR No.356/2016.
3. The allegation in the complaint is that the petitioner is the tenant under one Santhi Mathiyazhagaraj and the landlord has decided to sell the said house. The petitioner has proposed to buy the house and paid an advance amount of Rs.11,00,000/-. In the interregnum period, on account of declaration of election

date, the petitioner was unable to remit the balance amount within the stipulated time. When the petitioner sought for extension of time for payment of remaining amount, the proposed accused persons threatened him with dire consequences and used abusive language and that made him to prefer a complaint with the respondent police. Since no action was taken on his complaint, the petitioner is before this Court seeking the above relief.

4. In view of the submission made by the learned Government Advocate (Crl.Side) that petition enquiry is pending in this case, the 2nd respondent is directed to expedite the enquiry and complete the same within a period of one month from the date of receipt of a copy of this order. During the course of enquiry, if any cognizable offence is made out, the respondent police shall take action in accordance with the law laid down by the Hon'ble Apex Court in *Lalitha Kumari vs. Govt. of U.P and others* [2013 (4) Crimes 243 (SC)]. In case of closure of the complaint, a copy of the closure report be furnished to the petitioner within a week of such closure. On receipt of the same, it is open to the petitioner to work out his remedy in the manner known to law.

With the above direction, this Criminal Original Petition is disposed of.

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