
(2014) 10 MAD CK 0122
In the Madras High Court
Case No : Crl. OP No. 29290 of 2014

M. Murugan

APPELLANT

Vs

The State

RESPONDENT

Date of Decision : 31-10-2014

Acts Referred:

Citation : (2014) 10 MAD CK 0122

Hon'ble Judges : S. Nagamuthu, J

Bench : Single Bench

Judgement

S. Nagamuthu, J.—Seeking a direction to the respondents police to take action on the complaint of the petitioner dated 21.02.2012 given to the first respondent, which was dealt with by the second respondent police on 22.02.2012, under the cover of CSR No. 142/99/SP/UD/Ma/12 and deal with the above said persons in accordance with law, the petitioner has come up with this petition.

2. The petitioner is present in Court today and he has argued the matter. I have heard the learned Additional Public Prosecutor appearing for the respondent and I have also perused the records carefully.

3. A perusal of the complaint would go to show that the petitioner is the owner of the property comprised in S. No. 15/2, Thiruvalluvar Salai, Paramathivelur, Namakkal District. He states that in the year 2003, he entered into a sale agreement with one Mr. Marappan. He further states that on 25.05.2006, Mr. Marappan has sold away the property to one Mr. Ponner without the knowledge of the petitioner. With the above allegation, the petitioner has preferred the present complaint in the year 2012.

4. It is submitted by the learned Additional Public Prosecutor that the said complaint of the petitioner was enquired into and the same was closed as the dispute is purely civil in nature.

5. The petitioner would submit that in the year 2006, he approached one Mr. C. Raju, an Advocate in Namakkal District for taking action in respect of the above said transaction. But, Mr. C. Raju, learned Advocate having received the amount had not filed any case and instead, he betrayed him. He would further submit that against Mr. C. Raju also he preferred a complaint in the Bar Council.

6. Having regard to the fact that the petitioner had knowledge in respect of the transfer of the property which was made in the year 2006 and thereafter, he approached the Advocate to file suit. But, he has preferred the present complaint in the year 2012 i.e., with a delay of six years and this would indicate that the petitioner is trying to convert the civil dispute into a criminal case. Therefore, no direction as sought for by the petitioner could be given. Hence, the Criminal Original Petition is dismissed.