

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.17784 of 2015

Shanthi ... Petitioner/Defacto Complainant

Vs

1. State rep. By
The Inspector of Police,
Jayankondam Police Station,
Ariyalur District
(Crime No.550/2012) ...Respondent/Complainant

2. The Inspector of Police,
Jayamkondam Police Station,
Anti Land Grabbing and Land Encroachment Cell,
Ariyalur,
Ariyalur District.
(2nd respondent impleaded as per order
dated 27.7.2015 made in M.P.1/2015)... Respondents/Proposed
2nd Respondent

Criminal Original Petition filed under Section 482
Cr.P.C. to direct the respondent police to file the charge sheet
in FIR Crime No.550 of 2012 dated 26.09.2012 on the file of the
respondent police.

For Petitioner : M/s.Vijaya and Anandh

For respondents :Mr.C.Emalias,
Addl.Public Prosecutor.

O R D E R

This petition has been filed to direct the respondent
police to file the charge sheet in FIR in Crime No.550 of 2012
dated 26.09.2012 on the file of the respondent police.

2. The petitioner herein lodged a complaint as against one
Gunasekaran and Mohan on the allegation of land grabbing. The
said complaint was registered in Crime No.550/2012 on
26.09.2012, but till date, the investigation has not been
completed. Hence, the present petition.

3. Today, when the matter is taken up for consideration, learned Additional Public Prosecutor submitted that on completion of investigation, on 18.11.2015, the case has been closed as the matter is civil in nature. The RCS notice was also served on the petitioner. He further submitted that since the Honourable Apex Court has permitted the respondent to investigate the Land Grabbing matters and has directed not to file a final report before the appropriate Court till the disposal of the SLP, the respondent police could not file the charge sheet or the final report before the appropriate Court in the above said case.

4. Since the matter has been closed as civil in nature, I am of the opinion that it would be appropriate to direct the learned Judicial Magistrate No.1, Jayamkondam, to receive the charge sheet on file. The petitioner can work out his remedy after disposal of the S.L.P, pending before the Honourable Apex Court.

5. The Criminal original petition is disposed of accordingly...

Sd/-
Assistant Registrar(CS-III)

True Copy

Sub Assistant Registrar

To

- 1.The Judicial Magistrate No.I,
Jayamkondam.
2. The Inspector of Police,
Jayamkondam Police Station,
Ariyalur District
3. The Inspector of Police,
Anti Land Grabbing and Land Encroachment Cell,
Ariyalur,
Ariyalur District.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to M/S.Vijaya & Anandh, Advocate Sr.66631

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srg 04/01/2016