

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.09.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.22154 of 2015

R.Sivakumar

... Petitioner

Vs

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

2.The Inspector of Police,
Kundrathur Police Station,
Chennai-69.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to direct the 2nd respondent to register a case on the
petitioner's complaint dated 01.06.2015.

For Petitioner : Mr.N.Manokaran
For Respondents : Mr.C.Emalias, APP

O R D E R

This petition has been filed to direct the 2nd respondent to
register the petitioner's complaint dated 01.06.2015.

2. Heard the learned counsel for the petitioner; learned
Additional Public Prosecutor for the respondents and perused the
materials placed on record.

3. It is the case of the petitioner that, his brother Udayakumar
who is working as Deputy Superintendent of Police in EOW, Villupuram
had illegally cut trees in the land of the petitioner in Tharappakkam
Village worth Rs.5lakhs, which falls within the jurisdiction of
Kundrathur Police Station, in respect of which, the petitioner gave a
complaint dated 01.06.2015. Earlier this petitioner had given a
complaint dated 01.06.2015 to the Central Crime Branch against his
brother Udayakumar, in connection with fabrication of records
relating to land in Thandalam Village.

4. This Court in Crl.OP.No.16804 of 2015, passed the following
order on 08.07.2015:

"4.It is the case of the petitioner that his father died leaving several properties and five legal heirs, one of them being the petitioner herein. The three other legal heirs have joined together and executed a Release Deed in favour of R.Udhayakumar on 26.05.2004, wherein it is stated that they are only four legal heirs for the deceased, T.K.Ramachandran and that the Release Deed is for 3/4th shares in the properties. In other words, the existence of the petitioner, as the legal heirs of Ramachandran, has been suppressed and the document has been executed in favour of R.Udhayakumar. It is seen that the said R.Udhayakumar is a Deputy Superintendent of Police.

5.Under such circumstances, this Court directs the Deputy Commissioner of Police, in charge of Central Crime Branch, Team-17, Chennai, to conduct further enquiry in respect of the complaint given by the petitioner and also on all these aspects.

With the above direction, this Criminal Original Petition is closed."

5. In view of the above, the petition dated 01.06.2015 given by this petitioner to the Inspector of Police, Kundrathur Police Station, is directed to be transferred to the file of the Deputy Commissioner of Police, Central Crime Branch, Team-17, Chennai, to be enquired into along with the complaint dated 01.06.2015 given by this petitioner, in connection with the land in Thandalam Village, so that there would be no conflict in the enquiry. The Inspector of Police, Kundrathur Police Station is directed to sent the complaint and the file to the Deputy Commissioner of Police, Central Crime Branch as directed above.

With the above direction, this petition is closed.
gya

s/d-

सत्यमेव जयते
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

To

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

2.The Deputy Commissioner of Police [CCB],
Team-17, Chennai.

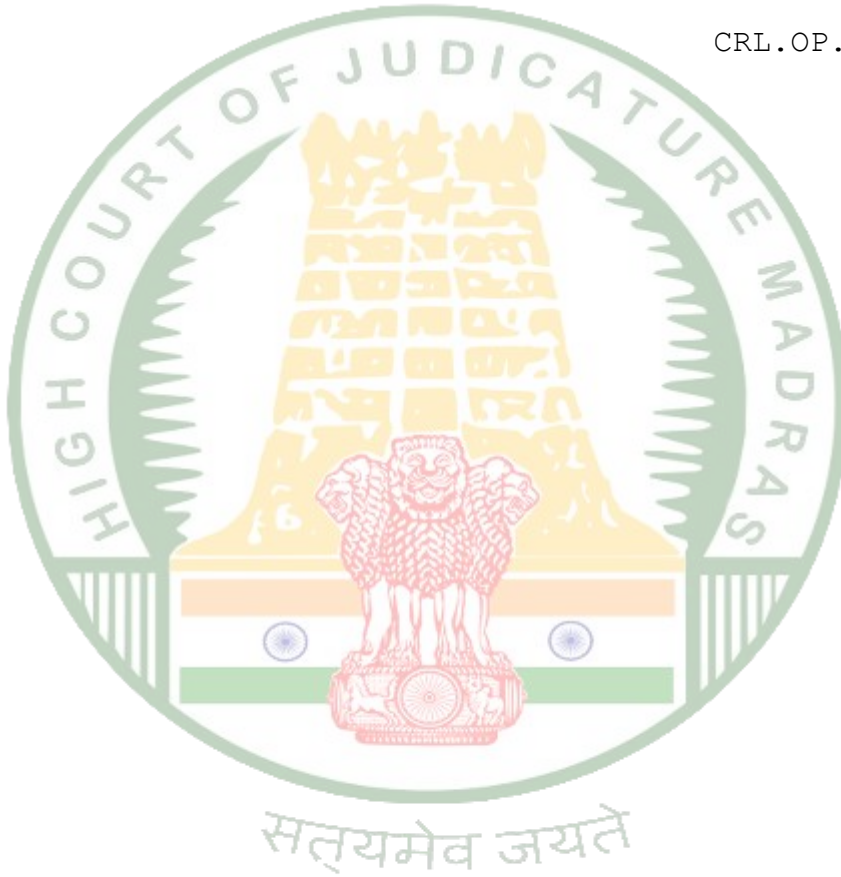
3.The Inspector of Police,
Kundrathur Police Station,
Chennai-69.

4.The Public Prosecutor,
High Court, Madras.

+ 2 ccs to Mr.N.Manokaran, Advocate SR 50883 & 51136

ksj(co)
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CRL.OP.No.22154 of 2015



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