

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

CRL.O.P.No.25625 of 2015

J.SOBHAN BABU

.. PETITIONER

Vs

- 1 THE SUPERINTENDENT OF POLICE
KRISHNAGIRI DISTRICT
KRISHNAGIRI - 635 001
- 2 THE DEPUTY SUPERINTENDENT OF POLICE
KRISHNAGIRI SUB DIVISION, KRISHNAGIRI
- 3 THE INSPECTOR OF POLICE,
KRISHNAGIRI TOWN POLICE STATION
KRISHNAGIRI

.. RESPONDENTS

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondents to register a case and investigate the complaint dated 03.09.2015 of the petitioner.

For Petitioner : Mr.M.Babu Muthu Meeran

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This petition has been filed seeking direction to the respondents to register the petitioner's complaint dated 03.09.2015.

2. It is the case of the petitioner that on 20.06.2004, one Kumudan and his henchmen trespassed into the petitioner's property. When the same was questioned, the petitioner and his father were assaulted. Hence, the petitioner's father lodged a complaint with the respondent police. Hence FIR has been registered in Crime No.805 of 2004 for offences under Section 323, 324 IPC against the said Kumudan. The said case was ended in conviction. Subsequently, the said Kumudan, taking advantage of the death of the petitioner's father Jayaraman, again trespassed into the petitioner's property on 28.08.2015 with dangerous weapons and caused extensive damages by removing iron fencing, pole, gate worth to an extent of Rs.30,000/- and threatened the petitioner with dire consequences. Hence, the petitioner lodged a complaint on 03.09.2015, before the respondent. Since, no action was taken on the complaint till date, this petition has been filed.

3. Learned Additional Public Prosecutor submitted that the complaint has been sent by post by this petitioner and hence, he may be directed to give a fresh complaint.

4. Considering the submissions made on either side, this Court is constrained to pass the following order:
"The petitioner is directed to give a fresh copy of the complaint along with a copy of this order to the 3rd respondent, within one week from the date of receipt of this order and on receipt of the same, the 3rd respondent is directed to conduct an enquiry and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the respondent is directed to proceed further in accordance with law as early as possible, preferably within a period of two months, thereafter."

With the above direction, this petition is closed.

gya

Sd/-
Assistant Registrar (CS-V)

/True Copy/

Sub-Assistant Registrar

To

- 1 THE SUPERINTENDENT OF POLICE
KRISHNAGIRI DISTRICT,
KRISHNAGIRI - 635 001
- 2 THE DEPUTY SUPERINTENDENT OF POLICE
KRISHNAGIRI SUB DIVISION, KRISHNAGIRI
- 3 THE INSPECTOR OF POLICE,
KRISHNAGIRI TOWN POLICE STATION
KRISHNAGIRI
- 4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 C.C. To Mr.Babu Muthu Meeran, Advocate in SR.NO.60021

Cr1.O.P.No.25625 of 2015

SKV(CO)

sd : 05/11/2015