

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2015

CORAM

THE HONOURABLE MR. **JUSTICE R.SUBBIAH**

Crl.O.P.No.26259 of 2015

A.Ethiraj

... Petitioner

Vs

State rep by
The Inspector of Police,
Manjakuppam Police Station,
Cuddalore - 1.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent police to register an FIR based on the petitioner's complaint dated 12.08.2015 and to investigate the matter in accordance with law and submit report within a time frame.

For Petitioner : Mr.Ashok Menon

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

ORDER

The present criminal original petition has been filed seeking a direction to the respondent to register an FIR based on the complaint given by the petitioner dated 12.08.2015, investigate the same in accordance with law and also to file a final report.

2. The petitioner herein lodged a complaint as against one

Sundaramoorthy on the allegation that the said Sundaramoorthy trespassed into the petitioner's property and also cut and removed the trees. Hence, the petitioner lodged a complaint as early as on 12.08.2015. Since, no action is taken by the respondent till date, the petitioner came forward to file this petition.

3. Today, when the matter is taken up for consideration, the learned Additional Public Prosecutor submitted that the counter petitioner Sundaramoorthy has given a letter to the respondent police stating that he would not interfere with the peaceful possession of the petitioner till the completion of the civil proceedings pending between them. He would further submit that based on the said letter, the petitioner had also withdrawn the complaint. The learned Additional Public Prosecutor has also produced the copy of the letter for the perusal of this Court.

4. Considering the submission of the learned Additional Public Prosecutor, this Court is of the opinion that since the petitioner himself had withdrawn the complaint, nothing survives for adjudication in this petition. Hence, recording the submission of the learned Additional Public Prosecutor, this petition is closed.

gpa

16.11.2015

To

1. The Inspector of Police,
Manjakuppam Police Station,
Cuddalore - 1.
2. The Public Prosecutor,
High Court, Madras.

R.SUBBIAH, J

gpa

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