

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26486 of 2015

P.Divyanathan

... Petitioner

Vs

The State rep by
The Inspector of Police,
Andimadam Police Station,
Ariyalur District.
(C.S.R.No.587/2015)

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register a case based on the petitioner's complaint in C.S.R.No.218 of 2014 dated 08.10.2015 and investigate the same and to file a final report within the stipulated time.

For Petitioner : Mr.S.Kumaradevan

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

O R D E R

The present criminal original petition has been filed seeking a direction to the respondent Police to register a case on the basis of the complaint given by the petitioner dated 08.10.2015 and investigate the same in accordance with law.

2. The petitioner herein lodged a complaint as against one Arockiasamy and 4 others stating that the said persons caused damages to the fence of live faunas including the 2 Cashew nut trees, 4 R.S.Pathi Trees and 1 Teak wood tree and also they have encroached 5 cents of the petitioner's patta land. Though the said complaint was lodged on 08.10.2015, till date, no action was taken. Hence, the petitioner has filed the present criminal original petition.

3. Today, when the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that the

matter was compromised between the parties and the petitioner has also given a letter to the respondent police on 19.10.2015 stating that no further action is required to be taken against the accused persons. Hence, the respondent police has closed the petitioner's complaint dated 08.10.2015.

4. Since the complaint has already been closed, there is no need to give any direction to the respondent police to register a case. Recording the submission made by the learned Additional Public Prosecutor, this criminal original petition is closed. However, the petitioner is at liberty to workout his remedy under Section 156(3) Cr.P.C., if he so desires.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

vsm

To

1.The Inspector of Police,
Andimadam Police Station,
Ariyalur District.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.S.Kumaradevan, Advocate, sr.62246

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