

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26972 of 2015

Avinashiappan

... Petitioner

Vs

1.The Superintendent of Police,
Thiruppur District Police Station,
Angeripalayam Main Road,
Tiruppur.

2.The Inspector of Police,
Land Grabbing Cell,
Thiruppur District,
Tiruppur.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records relating to Crime No.39 of 2013, direct the respondent No.2 to produce the reports pertaining to the RCS proceedings, consequently, directing the second respondent to take necessary steps in Crime No.39 of 2013 within a stipulated time to be fixed by this Court.

For Petitioner : M/s.R.Nasrine

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

ORDER

The present criminal original petition has been filed to call for the records relating to Crime No.39 of 2013 and direct the second respondent to produce the reports pertaining to the RCS proceedings and consequently, to direct the second respondent to take necessary steps in Crime No.39 of 2013 within a stipulated time to be fixed by this Court.

2. In the petition, it is averred that the petitioner herein lodged a complaint as against one Saravansamy Gounder and seven others on the allegation of land grabbing before the second respondent police and the same was registered in Crime

No.39 of 2013 for the alleged offence under Sections 409 and 420 I.P.C. When the petitioner approached the respondents to note down the status of the case, the respondents refused to inform the details. Hence, the petitioner filed a petition in CrI.O.P.No.9428 of 2014 before this Court seeking a direction to the second respondent to produce a final report in Crime No.39 of 2013. Pursuant to the direction issued by this Court, without enquiring the complaint registered in Crime No.39 of 2013, the respondent police came to the residence of the petitioner and affixed a slip on the wall of his house stating that Crime No.39 of 2013 is closed as mistake of fact. Thereafter, the petitioner filed a protest petition before the Court of Judicial Magistrate cum Land Grabbing Cases, Tiruppur and the same was numbered as SR.No.1145 of 2014. But, the said petition was returned and the same was re-presented on 29.10.2014. Again, the said petition was returned by the Court on 31.10.2014 stating that RCS report has not been received by the Court. Hence, the petitioner has filed the present petition seeking a direction to second respondent to produce the reports pertaining to the RCS proceedings and consequently to direct the second respondent to take necessary steps in Crime No.39 of 2013.

3. I have heard the learned Additional Public Prosecutor.

4. Considering the facts and circumstances of the case, this Court directs the second respondent to produce the RCS report before the Court of Judicial Magistrate cum Land Grabbing Cases, Tiruppur, within a period of two weeks from the date of receipt of a copy of this order and on filing such report, the learned Judicial Magistrate, Land Grabbing Cases, Tiruppur is directed to receive the same. The second respondent is also directed to furnish a copy of the RCS report to the petitioner and the petitioner is at liberty to work out his further remedy in a manner known to law.

5. With the above observation, the criminal original petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sbi

To

1. The Judicial Magistrate Land Grabbing Cell,
Thiruppur District, Thirppur.

2.The Superintendent of Police,
Thiruppur District Police Station,
Angeripalayam Main Road,
Tiruppur.

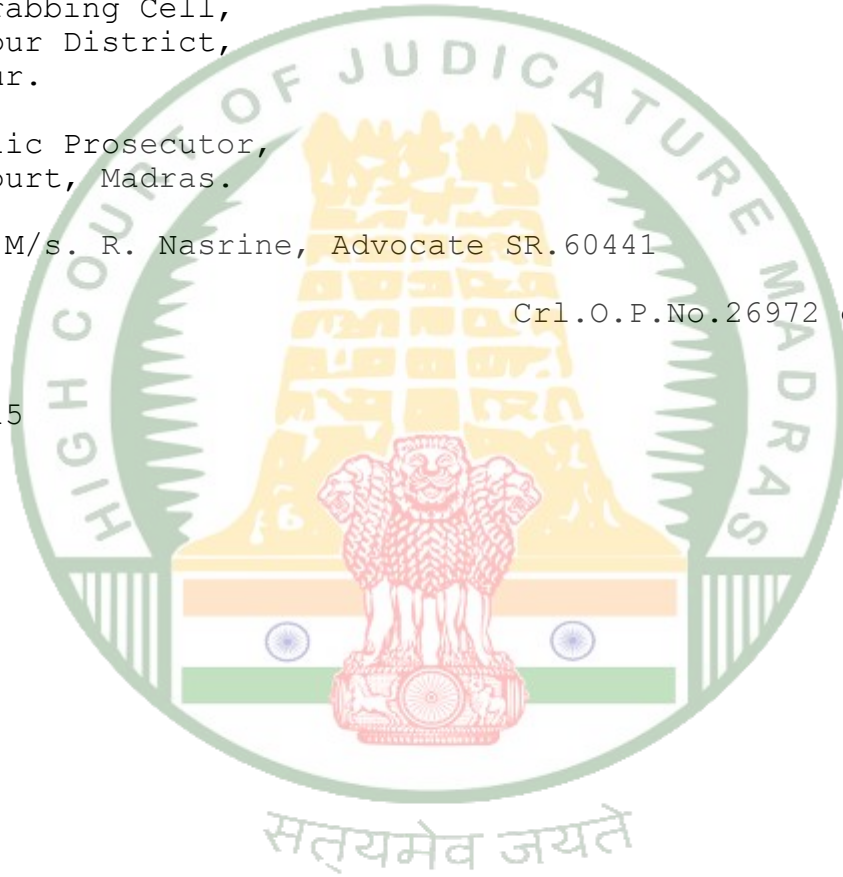
3.The Inspector of Police,
Land Grabbing Cell,
Thiruppur District,
Tiruppur.

4.The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s. R. Nasrine, Advocate SR.60441

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BVR(CO)
Eu 23.11.15



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