

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.27699 of 2015

S.Jayashankar

... Petitioner

Vs

The State by :-

The Inspector of Police,
Vanur Police Station,
Vanur Taluk,
Villupuram District

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register FIR based on the complaint dated 19.07.2015 in accordance with law.

For Petitioner : Mr.M.Arumugam

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the respondent to register FIR based on the complaint dated 19.07.2015 in accordance with law.

2. The petitioner has lodged a complaint as against one Shankar, Chandrasekar, Venkatesan, Kaliyaperumal alleging that they have trespassed in to the property of the petitioner and caused damage to the agricultural crops and caused damage to the tune of Rs.50,000/-. Though the complaint has been lodged by the petitioner, no action has been taken till date. Hence, the present criminal original petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.S.R.No.137 of 2015 has been assigned and the matter is pending for enquiry. He further submitted the matter appears to be civil in nature

and thus opposed for granting direction. He further submitted that the petitioner is not co-operating with the enquiry and he may be directed to co-operate with the enquiry. The learned counsel for the petitioner denied the same and thus sought for direction.

5. In view of the submissions made on either side, this Court directs the respondent to conduct enquiry on the complaint given by the petitioner dated 19.07.2015 in C.S.R.No.137 of 2015 and dispose the same in accordance with law and during the course of enquiry, the respondent comes to the conclusion that the matter appears to be civil dispute, he is directed to pass appropriate order on the complaint of the petitioner. The petitioner is directed to co-operate with the enquiry before the respondent police.

6. This criminal original petition is disposed of accordingly.

vrc

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Vanur Police Station,
Vanur Taluk,
Villupuram District
2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.M.Arumugam, Advocate SR 63148

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