

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28819 of 2015

M.S.A.Hamed Jalal

... Petitioner

Vs

State by:

The Inspector of Police,
B-1, North Beach Police Station,
Chennai.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the Inspector of Police, B-1, North Beach Police Station to register the CSR No.730 of 2015 dated 16.11.2015 into FIR and investigate the matter.

For Petitioner : Mr.A.Ganesh

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

ORDER

This petition has been filed to direct the Inspector of Police, B-1, North Beach Police Station to register the CSR No.730 of 2015 dated 16.11.2015 into FIR and investigate the matter.

2. The case of the petitioner is that the petitioner is a non-resident Indian and on 26.03.2009, he purchased a property situated at Door No.33 & 34, 3rd lane, North Beach Lane, George Town, Chennai - 600 001 and he is in possession of the said property. Due to heavy rain, the compound wall was completely damaged. Hence, he intended to put up fence and he brought iron fence, concrete pillars, cement and kept it in the aforesaid premises. On 14.11.2015, when the mason and others were working, one Kathavarayan @ C.K.Vilvam and his sons Viji and Madurai Muthu came to the premises and threatened the workers with dire consequences and also scolded them with filthy

language. Hence, the petitioner gave a complaint before the respondent police on 14.11.2015 and the same was received and C.S.R.No.726 of 2015 was assigned. On 16.11.2015 against the aforesaid persons entered into the premises and took away the iron fence, iron sheets, concrete pillars and cement worth Rs.1,50,000/-. Again the petitioner lodged a complaint on 16.11.2015 and the same was registered and C.S.R.No.730 of 2015 was assigned. But till date no action was taken by the respondent police. Hence, the present petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. Considering the submissions made on either side, this Court directs the respondent police to conduct enquiry on both the C.S.R.Nos.726 and 730 of 2015 and upon enquiry, if the materials are gathered indicating any cognizable offence, he is directed to proceed further in accordance with law.

5. The criminal original petition is disposed of accordingly.

Sd/
ASSISTANT REGISTRAR (CS-II)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

vsi

To

1.The Inspector of Police,
B-1, North Beach Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to MR.A.Ganesh Advocate. SR.NO. 65590

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CO-SK
JD 28/12/2015