

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.29456 of 2015

Adhimulam

... Petitioner

..Vs..

State rep. By
The Inspector of Police,
Kallakurichi Police Station,
Villupuram District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register a case based on the Information Report dated 11.06.2015 in C.S.R.No.240 of 2015 pending on the file of the respondent police.

For Petitioner : Mr.R.Sudhakar
For Respondent : Mr.C.Emalias,
Addl. Public Prosecutor

O R D E R

The present Criminal Original Petition has been filed seeking a direction to the respondent to register a case based on the Information Report dated 11.06.2015 in C.S.R.No.240 of 2015 pending on the file of the respondent police.

2. According to the petitioner, he is a farmer belonging to Scheduled Caste, totally having 1.50 acres of agricultural land in Survey Nos.140/7 and 139/4 at Thandalai, Sankarapuram Taluk, Kallakurichi, Villupuram District. The patta stands in his name and he is peacefully enjoying possession of the same. While so, on 10.06.2015, about 3.00 p.m., when the petitioner was cultivating in his land, 14 named accused joined together armed with deadly weapons like Koduval, Spade, Iron Pipe, trespassed into his land and attacked him on his chest and back. In this regard, the petitioner made an Information Report before the respondent police on 11.06.2015 against the accused persons as per procedure under Section 154 Cr.P.C.. But, the respondent police did not register the First Information Report, instead, they gave C.S.R. only vide C.S.R.No.240 of 2015. Since no action was taken on the said Information Report, the petitioner, having no other alternative, has come up with the present Criminal Original petition.

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

4. Learned Additional Public Prosecutor appearing for the respondent submitted that C.S.R. number has been assigned to the petitioner's complaint and the matter is pending.

5. Though C.S.R. is assigned to the petitioner's complaint and the matter is pending with the respondent police, as the matter is purely civil in nature, nothing further survives for consideration. However, the petitioner is at liberty to work out his remedy in the manner known to law.

This Criminal Original Petition is disposed of accordingly.
aeb

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To :

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

+ 1 cc to Mr.R.Sudhakar, Advocate SR 67225

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