

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.Nos.29523 & 29525 of 2015

Sennappan

...Petitioner in both the O.Ps

Vs

1. The Superintendent of Police,
Dharmapuri District.

2. The Inspector of Police,
B-1, Oganakkal Police Station,
Dharmapuri District. ... Respondents in both the O.Ps

These Criminal Original Petitions filed under Section 482 Cr.P.C. seeking a direction to the respondents to register the case on the complaint dated 30.10.2015 given by the petitioner and investigate the same in accordance with law and to file the final report within the time fixed by this Court.

For Petitioner : Mr.M.Ravi

For Respondents : Mr. C.Emalias
Additional Public Prosecutor

C O M M O N O R D E R

These Criminal Original Petitions have been filed to direct the respondents to register the case based on the complaint given by the petitioner on 30.10.2015.

2. Since the issue involved in both the Criminal Original Petitions are one and the same, both the Criminal Original Petitions are disposed of by way of Common Order.

3. The petitioner has lodged a complaint against one Cheran, Mathiyan, Malar, Chinnasamy and Rani, on 30.10.2015, stating that they have criminally trespassed into the petitioner's land and destroyed the agricultural products. But, till date, no action has been taken. Hence, the petitioner has come forward with these criminal original petitions.

4. When the matter is taken up for consideration, the learned Additional Public Prosecutor submitted that the complaint was sent by the petitioner only by post. If a fresh complaint is given by the petitioner directly to the second respondent, necessary action will be taken.

5. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

6. In view of the submission made by the learned Additional Public Prosecutor, the petitioner is directed to give a fresh complaint along with a copy of this order to the second respondent within a period of one week from the date of receipt of a copy of this order. On receipt of such complaint, the second respondent is directed to conduct enquiry and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law, as early as possible. If no prima facie case is made out for registering the FIR, the second respondent is directed to pass an appropriate order on the said complaint.

7. These criminal original petitions are disposed of accordingly.

Sd/
ASSISTANT REGISTRAR (CS-II)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

mrp

To

1. The Superintendent of Police,
Dharmapuri District.
2. The Inspector of Police,
B-1, Oganakkal Police Station,
Dharmapuri District.
3. The Public Prosecutor,
High Court, Madras.

+2 CC to MR.M.Ravi Advocate. SR.NO.67770 & 67771

CrI.O.P.Nos. 29523 & 29525/15

CO-SKV
JD 30/12/2015