

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.30164 of 2015

Suganthavalli

... Petitioner

Vs

1. State by,
The Inspector of Police,
Poolampatti Police Station,
Edappadi Taluk,
Salem District.

2. Superintendent of Police,
Salem District. ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent police to register the FIR based on the complaint dated 15.11.2015 and investigate the same.

For Petitioner : Mr.R.Gopinath

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 the FIR based on the complaint dated 15.11.2015.

2. The case of the petitioner is that the petitioner has lodged a complaint against one Sivarajan in respect of a land dispute on 15.11.2015. But till date, no action has been taken on the said complaint. 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 respondents.

4. The learned Additional Public Prosecutor submitted that though the matter appears to be civil in nature, the respondent police has assigned C.S.R.No.332 of 2015 on the complaint given by the petitioner and the matter is pending for enquiry.

5. In view of the submissions made on either side, this Court directs the first respondent to conduct enquiry on the complaint given by the petitioner dated 22.11.2015 in C.S.R.No.332 of 2015 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 first respondent is directed to pass an appropriate order on the said complaint.

6. This criminal original petition is disposed of accordingly.

mrp

s/d-
Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Poolampatti Police Station,
Edappadi Taluk,
Salem District.
2. The Superintendent of Police,
Salem District.
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.R.Gopinath, Advocate SR 69206

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