



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Crl.O.P(MD).No.13489 of 2014 and
M.P(MD).Nos.1 to 5 of 2014

S. Mithalal Jain

... Petitioner

Vs.

1. The Commissioner of Police,
O/o of the Commissioner of Police,
Madurai.

2. The Inspector of Police,
Vilakkuthoon Police Station,
Madurai.

... Respondents

Prayer: Petition filed under Section 482 Cr.P.C to issue a directions to the first respondent to direct the second respondent to register a case against the proposed accused persons Nachiyappan, V. Vairavan and V. Subramanian, U/s. 342,454 and 120 (b) of IPC and to file the report of action taken, on the strength of the petitioner's complaint dated 03.07.2014 and his subsequent representation dated 15.07.2014.

For Petitioner ... Mr. M.Sendhilkumar

For Respondents... Mrs. S. Prabha

Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition is filed to direct the second respondent to register a case against the proposed accused persons viz., Nachiyappan, V. Vairavan and V. Subramanian, for the offences under sections 342,454 and 120(b) of IPC and to file a report of action taken, on the strength of the petitioner's complaint dated 03.07.2014 and his subsequent representation dated 15.07.2014.

2. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl. Side).

3. The learned Government Advocate (Crl. Side) would submit <https://hosevcs.ecourts.gov.in/hosevcs/> the complaint, dated 03.07.2014, FIR has already been registered by the first respondent Police. Moreover, the dispute has been pending before the Civil Court.



4. In view of the above said submission, the Criminal Original Petition is disposed of with a direction to the first respondent to investigate the matter in accordance with law. Further, the parties are advised to work out their remedy before the Civil Court. The documents which has been called for from the Principal District Munsif Court, Madurai Town in respect of O.S.No.449 of 2014 is directed to be returned to the trial Court, within a week from the date on which the order copy is made ready. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To

1. The Commissioner of Police,
O/o of the Commissioner of Police,
Madurai.
2. The Inspector of Police,
Vilakkuthoon Police Station,
Madurai.

+2 ccs to M/s.Veerakathiravan, Advocate, SR.Nos.67752 and 67579
+One cc to M/s.T.R.Jeyapalam, Advocate, SR.No.67473
+One cc to M/s.Ganapathi Subramanian, Advocate, SR.No.67496
+One cc to M/s.N.DILIPKUMAR, Advocate, SR.No.68062

trp
RL/8C/PM/MP/9/12/2015

Cr1.O.P(MD).No.13489 of 2014 and
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