



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.07.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.No.14217 of 2015

D.Senthilkumar

: Petitioner

-Vs-

1. State represented by
The Superintendent of Police,
Ramnad.

2. The Inspector of Police,
B-2 Town Police Station,
Ramnad.

: Respondents

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the first and second respondents herein to register a case based on the complaint of the petitioner, dated 22.06.2015 for the offences under Sections 323, 294(b), 420, 468, 506(ii) of I.P.C against the accused and file a final report.

For Petitioner :Mr.C.S.Ravichandran

For Respondents :Mrs.S.Prabha,
Government Advocate(Crl. Side)

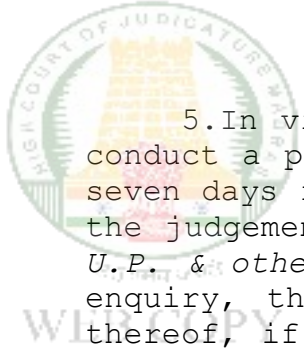
O R D E R

This petition has been filed under section 482 Cr.P.C, praying to direct the first and second respondents herein to register a case based on the complaint of the petitioner, dated 22.06.2015 for the offences under Sections 323, 294(b), 420, 468, 506(ii) of I.P.C against the accused and file a final report.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the State.

3.The learned counsel for the petitioner submitted that on 21.06.2015 at about 7.30 p.m, the petitioner went to his ancestral property and at that time, the proposed accused threatened him and scolded him with filthy language and further it is seen that the accused persons, constructed concrete structure in the property in question, without the knowledge of the petitioner. Therefore, the petitioner gave a complaint to the respondents to register a case. Since no action has been taken, the petitioner has come forward with this petition.

4.The learned Government Advocate(Crl. Side) has submitted that based on the complaint given by the petitioner, dated 22.06.2015, petition enquiry is pending before the second respondent police.



5. In view of the above, the second respondent police is directed to conduct a preliminary enquiry, which shall not extend beyond a period of seven days from the date of receipt of a copy of this order, by following the judgement of the Hon'ble Supreme Court in *Lalita Kumari vs. Govt. of U.P. & others* [2013 (4) Crimes 243 (SC)]. In conducting the preliminary enquiry, they shall put the concerned parties upon notice. At the end thereof, if any cognizable offence is made out, they shall duly register a case. In the event of effecting closure of the case upon conducting a petition enquiry, a copy of the closure report shall be forwarded to the complainant.

6. The Criminal Original Petition is disposed of with the above direction.

sd/
Assistant Registrar(crl.side)

/True copy/

Sub Asssitant Registrar

To

1. The Superintendent of Police,
Ramnad.
2. The Inspector of Police,
B-2 Town Police Station,
Ramnad.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.C.S.Ravichandran, Advocate SR.No.9050

Crl.O.P(MD).No.14217 of 2015
27.07.2015

pm
ns 06.08.2015 : 2p/5c