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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 27.07.2015
CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.No.14255 of 2015

Ramesh ...Petitioner

-Vs-

1.The State rep. By
The Superintendent of Police,
Thanjavur District,
Thanjavur.

2.The Inspector of Police,
Peravurani Police Station,
Tanjavur District. ... Respondents

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the respondents particularly the second respondent to register the complaint of the petitioner, dated 01.06.2015 and investigate the same in accordance with law.

For Petitioner : Mr.K.Baalasundharam
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 second respondent to register a case based on the complaint of the petitioner, dated 01.06.2015 and investigate the same in accordance with law.

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 23.05.2015 at about 8.30 a.m., one Ravichandran and his men trespassed into the property of the petitioner and damaged the heaped sesame crops with grains and due to that the petitioner sustained loss to the tune of Rs.30,000/-. When the petitioner attempted to resist the accused, they assaulted the petitioner. Therefore, the petitioner gave a complaint to the second respondent 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 13.07.2015, 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

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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.

pm

Sd/-
Assistant Registrar (Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police,Thanjavur District,
Thanjavur.

2.The Inspector of Police,Peravurani Police Station,
Thanjavur District.

3.The Additional Public Prosecutor,Madurai Bench of
Madras High Court,Madurai.

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