



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2015

CORAM

THE HONOURABLE MRS.JUSTICE S.VIMALA

Crl.O.P. (MD) No.18921 of 2015

A.Veeraputhiran

.. Petitioner

Vs

1.The Superintendent of Police,
Tirunelveli District
Tirunelveli.

2.The Inspector of Police,
Sivagiri Police Station,
Sivagiri,
Tirunelveli District.

.. Respondents

Petition filed under Section 482 of Code of Criminal Procedure to direct the official respondents to register a complaint on the cognizable offences contemplated in the complaint and to take proper action in accordance with law on the basis of a complaint made by the petitioner on 06.05.2015 to the 1st and 2nd respondents within the time frame stipulated by this Court.

For Petitioner : Mr.N.Ananthapadmanabhan

For Respondents : Mr.P.Kandasamy
Government Advocate (Crl.Side)

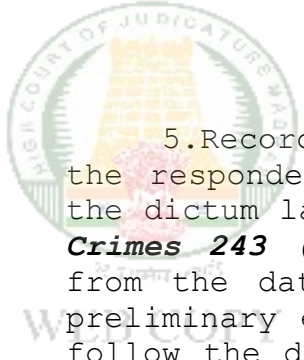
ORDER

This petition has been filed seeking a direction to the respondents to register a complaint on the cognizable offences contemplated in the complaint and to take proper action in accordance with law on the basis of a complaint made by the petitioner on 06.05.2015 to the respondents within a stipulated time.

2.The sum and substance of the petition is that the accused persons are involved in the act of executing and fabricating a false document in order to grab the land from the hands of the petitioner and thus they got patta. Hence, the present complaint.

3.The learned Government Advocate (Crl.Side) would submit that the petition enquiry is pending and that, even though the respondents are ready to enquire into the matter, there is no co-operation on the side of the petitioner.

1. There is an assurance on the part of the learned counsel appearing for the petitioner that the petitioner is prepared to appear before the respondents police for enquiry.



5. Recording the submission of the learned counsel for the petitioner, the respondents police are directed to enquiry into the matter based on the dictum laid down in **Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)]**, which shall not extend beyond a period of seven days from the date of receipt of a copy of this order. In conducting the preliminary enquiry, they shall put the concerned parties upon notice and follow the dictum laid down in **D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610**. At the end of the enquiry, if any cognizable offence is made out, the concerned respondent shall register a case. In the event of effecting closure of the case upon conducting a petition enquiry, intimation regarding closure shall be sent to the complainant. It is left open to the petitioner to approach the concerned Judicial Magistrate in accordance with law, if he is aggrieved.

6. The Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.1.The Superintendent of Police,
Tirunelveli District
Tirunelveli.

2.The Inspector of Police,
Sivagiri Police Station,
Sivagiri,
Tirunelveli District.

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

+1cc to M/S. N.Ananthapadmanabhan, Advocate in SR.No 58433

TS/09.10.2015/2P - 5C SK-SKN/SAR -II

Cr1.O.P. (MD) No.18921 of 2015

01.10.2015