



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2015

CORAM:

WEB COPY

THE HONOURABLE Mr. JUSTICE S.VAIDYANATHAN

Crl.O.P.(MD)No.21379 of 2015

P.Ramesh

... Petitioner

Vs.

1.The Superintendent of Police,
Land Grabbing Cell,
Theni District, Theni.

2.The Inspector of Police,
Land Grabbing Cell,
Theni, Theni District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent to register the case based on the complaint given by the petitioner dated 07.09.2015 and consequently direct the first respondent to supervise the investigation.

For Petitioner : Mr.V.Santha Kumaresan

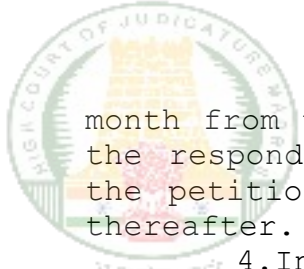
For Respondents : Mr.A.P.Balasubramani
Government Advocate(Crl.Side)

O R D E R

The petition has been filed under Section 482 Cr.P.C., to direct second respondent to register the case based on the complaint given by the petitioner dated 07.09.2015 and consequently direct the first respondent to supervise the investigation.

2.The learned Government Advocate (Crl.side) appearing for the respondent Police on instruction would submit that the complaint has not been received by the respondent Police and it has been received by the Inspector of Police, Palanichetti Police Station, Theni District and the same will be enquired into and if *any prima facie case* is made out, the said complaint would be registered and the investigation would be completed.

3.Considering the submissions made on either side, this Court is inclined to direct the Inspector of Police, Palanichetti Police Station, Theni District to enquire into the veracity of the complaint in adherence to the principles and directions laid down by the Honourable Apex Court in the case of *Lalita Kumari -Vs-Government of U.P and others* reported in 2013(4) Crimes 243 (SC) and complete the same within a period of one



month from the date of receipt of a copy of this order. In the event of the respondent Police finding any prima facie case in the complaint of the petitioner, they shall register a case within a period of one week thereafter.

4. In case of closure of complaint, the respective respondent Police is directed to send a copy of the closure report to the petitioner within a period of one week from the date of closure. On receipt of the same, it is open to the petitioner either to make a private complaint or recourse to any other provisions of law. The Criminal Original petition is disposed of accordingly.

Sd/-

Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Land Grabbing Cell,
Theni District, Theni.
2. The Inspector of Police,
Land Grabbing Cell,
Theni, Theni District.
3. The Inspector of Police,
Palanichetti Police Station,
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.V.Santhakumaresan Advocate Sr.No.65425

NS/AAL/MPA/SARII-20.11.2015-2P-6C

CRL.OP. (MD) No.21379 of 2015
06.11.2015