

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2016

CORAM

THE HONOURABLE Mr. JUSTICE R.SUBBIAH

Crl.O.P.No.1462 of 2016

K.Loganathan

... Petitioner

Vs

1. The Superintendent of Police,
Villupuram District

2. The Inspector of Police,
Kandamangalam Police Station,
Villupuram District

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondents to register the case on the complaint dated 03.06.2015 against the accused named Prabhu.

For Petitioner : Mr.K.Marimuthu

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the respondents to register a case on the complaint of the petitioner dated 03.06.2015 against the accused person.

2. The petitioner herein has lodged a complaint as against one Prabhu stating that he has trespassed into the petitioner's land and cut down the trees. When the petitioner questioned the same, the said person threatened and abused him with filthy language. Therefore, the petitioner lodged a complaint before the respondent police on 03.06.2015. But, no action was taken till date. Hence, the petitioner has come forward with the present criminal original petition.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. When the matter was taken up for consideration today, the learned Additional Public Prosecutor submitted that the complaint was given only through post and if a fresh complaint is given to the second respondent, necessary action would be taken.

5. I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor.

6. In view of the submissions made by the learned Additional Public Prosecutor, this Court directs the petitioner to give a fresh complaint to the second respondent along with a copy of this order within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the second respondent is directed to conduct enquiry on the same and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law, as early as possible. If no prima facie case is made out for registering the case, the respondent is directed to pass an appropriate order on the complaint of the petitioner.

7. With the above directions, the Criminal Original Petition is disposed of.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

srn

To

1. The Superintendent of Police, Villupuram District

2. The Inspector of Police,
Kandamangalam Police Station,
Villupuram District

3. The Public Prosecutor, High Court, Madras.

1 cc to Mr.K. Marimuthu, Advocate, sr. 4436

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PPA (CO)
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