

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1506 of 2016

J.Settu

... Petitioner

Vs

1. The Inspector of Police,
Bombidi Nadoor Police Station,
Bombidi,
Dharmapuri District.
2. The District Superintendent of Police,
Dharmapuri, Dharmapuri District. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the first respondent to register the complaint of the petitioner dated 23.12.2015 pending on the file of the first respondent and to investigate the same.

For Petitioner : Mr.V.R.Annagandhi
For Respondents : Mr.C.Emalias
Additional Public Prosecutor

सतयमेव जयते
O R D E R

The present criminal original petition has been filed to direct the the first respondent to register the complaint of the petitioner dated 23.12.2015 pending on the file of the first respondent and to investigate the same.

2. The petitioner is having lands in Motankrinichi Village in S.F.No.49/19A, 49/62, 49/63, 49/19B (Mitta Survey No.18/16). The petitioner has constructed a house in the said land and he is also doing agricultural operations in the said land. While so on 16.12.2015 at about forenoon 12 o'clock some persons namely Madian son of Mallan, Veerakumar Son of

Veerabandran, Karpagam wife of Veerakumar, Sangeetha wife of Madian, Maheswari wife of Veera, Nisukumar son of Veerabadran, Arun son of Veerabadran, Veerbandran son of Veeragoundar, Gowrammal wife of Veerabandran, belonging to Nathmedu Village, trespassed in to the lands of the petitioner and abused the petitioner and his wife in filthy language and threatened them with dire consequences and damaged the shed and the fence and caused loss to the tune of Rs.1,50,000/-. Hence the petitioner had sent a complaint to the first respondent. As the first respondent refused to receive the same, the petitioner sent a complaint to the second respondent through registered post. But no action has been taken on the said complaint 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 as well as the learned Additional Public Prosecutor appearing for the respondents.

4. The learned Additional Public Prosecutor submitted that as the complaint has been sent by post, if the petitioner gives a fresh complaint, necessary action will be taken.

5. In view of the submissions made on either side, this court directs the petitioner to give a fresh complaint to the first respondent within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the first respondent is directed to conduct enquiry and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law. If no prima facie has been made out for registering a case, the first respondent is directed to pass an appropriate order on the complaint of the petitioner.

6. This criminal original petition is disposed of accordingly.

सत्यमेव जयते

-s/d-

Assistant Registrar (CSVII)

True Copy

Sub-Assistant Registrar

vrc

To

1. The Inspector of Police,
Bombidi Nadoor Police Station,
Bombidi,
Dharmapuri District.
2. The District Superintendent of Police,
Dharmapuri, Dharmapuri District.
3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.V.R.Annagandhi, Advocate sr.4972

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