

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.15370 of 2016

N.Venkitachalam

... Petitioner

Vs

The Inspector of Police,
Kottur Police Station,
Kottur,
Coimbatore District.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent to register an FIR on the complaint of the petitioner dated 14.01.2016 and to take action as per law to protect the petitioner's property.

For Petitioner : Mr.V.Ravi

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondent to register an FIR on the complaint of the petitioner dated 14.01.2016 and to take action as per law to protect the petitioner's property.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondent and perused the materials placed on record.

3. On 08.08.2016, this Court passed the following order :

"It is the case of the petitioner that he had evicted Balakrishnan from his property in execution of E.P.No.10 of 2015 on 12.01.2016.

2.According to the petitioner, the property was sold by the Court Bailiff in the presence of V.A.O. Thereafter, it is represented by the petitioner that on 13.01.2016, Balakrishnan once again trespassed into the property. In this connection, the

petitioner has lodged a complaint dated 14.01.2016,

in which, petition enquiry was conducted in CSR No.9 of 2016 by calling both the parties.

3.The learned Additional Public prosecutor appearing for the respondent submitted that the petitioner and Balakrishnan appeared before the respondent police and Balakrishnan gave an undertaking that he will vacate the place within ten days and on the undertaking given by Balakrishnan, the petitioner has given a letter dated 16.02.2016 agreeing to give ten days time to Balakrishnan and withdraw the complaint.

Mr.Ravi, learned counsel for the petitioner seeks time to get instructions. Post the matter on 16.08.2016."

4. Today, when the matter was taken up for hearing, Mr.A.Kumarashanmugam, Special Sub Inspector of Police, Kottur Police Station, Valparai Sub Division is present.

5. Learned counsel for the petitioner submitted that even after giving such an undertaking, the said Balakrishnan has not vacated from the premises.

6. Under such circumstances, the respondent Police is directed to register a regular FIR on the complaint dated 14.01.2016 given by the petitioner and take action in accordance with law.

With the above direction, this petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Kottur Police Station,
Kottur, Coimbatore District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Ravi, Advocate, S.R.No.47651

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CA(07/09/2016)

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