

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.01.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1733 of 2016

B.Ravendran

... Petitioner

Vs

1.State Rep.by

The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
Superintendent Office,
Tiruvallur District.

2.State rep.by

The Inspector of Police,
Anti Land Grabbing Special Cell,
Tiruvallur District.

.. Respondents

Criminal Original Petition file under Section 482 Cr.P.C. seeking direction to the 2nd respondent-police to register a case based on the information report dated 03.12.2014 in C.No.544/DSP/ALGSC/TVLR/2014 pending on the file of the 2nd respondent police.

For Petitioner : Mr.D.Dayalan

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking direction to the 2nd respondent-police to register a case based on the complaint given by the petitioner dated 03.12.2014 in C.No.544/DSP/ALGSC/TVLR/2014 pending on the file of the 2nd respondent-police.

2. The petitioner herein lodged a complaint on 03.12.2014 before the 2nd respondent-police against one Nagarathinam and his son viz., Udhayakumar on the allegation of land grabbing. On receipt of the same, C.No.544/DSP/ALGSC/TVLR/2014 has been assigned. But, till date no action was taken. Hence, the petitioner has come forward with the present criminal original petition.

3.The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.No.544/DSP/ALGSC/TVLR/2014 has been assigned and the matter is pending for enquiry. Further, the learned Additional Public Prosecutor submitted that even though the 2nd respondent-police is ready to conduct enquiry, the petitioner is not co-operating for enquiry.

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

5.In view of the submissions made on either side, this Court directs the petitioner to co-operate with the 2nd respondent-police for enquiry. Further, this Court directs the 2nd respondent-police to conduct enquiry on the basis of the complaint given by the petitioner, dated 03.12.2014 in C.No.544/DSP/ALGSC/TVLR/2014 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the 2nd respondent-police is directed to proceed further in accordance with law, as early as possible. If no prima facie case has been made out, the 2nd respondent-police is at liberty to pass appropriate order on the complaint given by the petitioner.

6. This criminal original petition is disposed of accordingly.

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-s/d-

Assistant Registrar (CSVII)

True Copy

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Sub-Assistant Registrar

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To

1.The Deputy Superintendent of Police,
Anti Land Grabbing Special Cell,
O/o the Superintendent of Police,
Tiruvallur District.

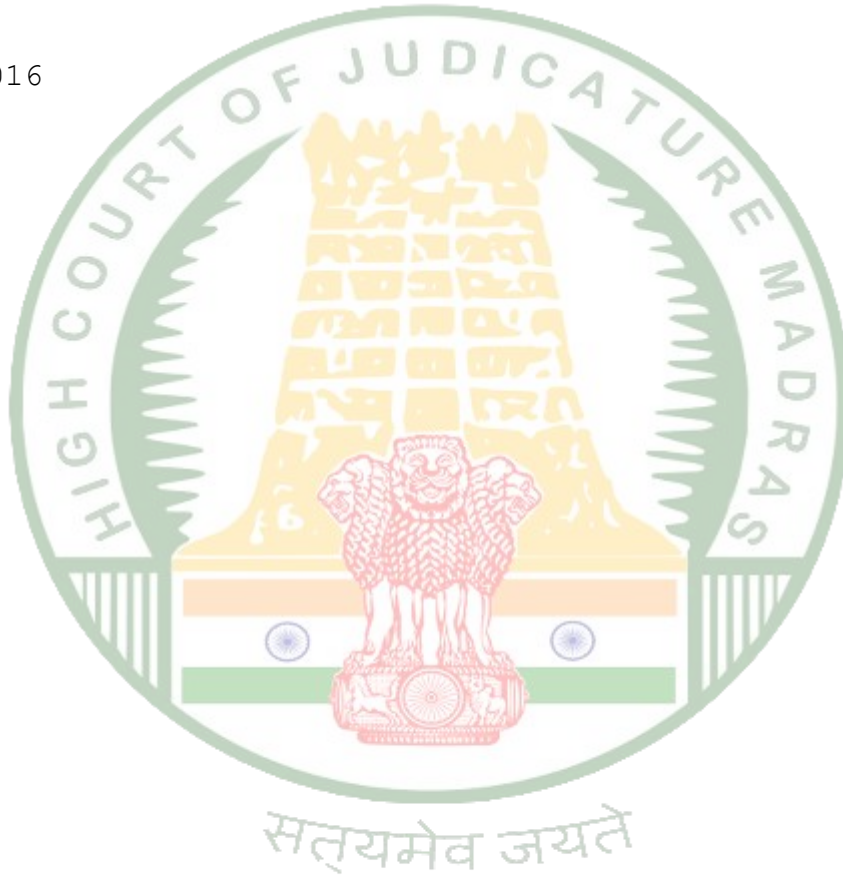
2.The Inspector of Police,
Anti Land Grabbing Special Cell,
Tiruvallur District.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.D.Dayalan Advocate sr.5184

Cr1.O.P.No.1733 of 2016

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