

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2016

CORAM

THE HONOURABLE MR.JUSTICE A.SELVAM

Crl.O.P No.3197 of 2015

Rasa Gounder

.. Petitioner

Vs.

1. The Superintendent of Police
Erode District

2. The Inspector of Police
Bhavani Police Station
Erode District

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to register the complaint dated 24/12/2014 given by the petitioner and investigate the same in accordance with law.

For Petitioner : Ms.R.Nirmala

For Respondents : Mrs.M.F.Shabana,
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed under section 482 of Code of Criminal Procedure, 1973 praying to give necessary direction to the second respondent to register the complaint dated 24.12.2014.

2. It is averred in the petition that the petitioner and others have purchased certain immovable properties. After the demise of one of the co-owners, certain problems have become emerged. Therefore, both parties have filed civil suits. Further it is stated in the complaint that the persons mentioned therein have tried to obstruct pathway by way of placing thorny bushes. Under such circumstances, the complaint in question has been given to the second respondent, but the second respondent has not registered the same. Under the said circumstances, present petition has been filed for getting the relief sought therein.

3. The learned counsel appearing for the petitioner has fairly conceded that with regard to existing dispute, two civil suits have been filed and the same are pending.

4. Considering the fact that civil suits are pending with regard to lands mentioned in the complaint, the petitioner can work out his remedies by way of approaching the concerned civil forum. The learned Government Advocate has represented that the complaint alleged to have been given by the petitioner has been closed by way of saying that it is purely civil in nature.

5. Considering the aforesaid factual circumstances, necessary direction cannot be given to the second respondent. Therefore, the present petition deserves to be dismissed.

In fine, this Criminal Original Petition is dismissed.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

ajr

To

1. The Superintendent of Police
Erode District
2. The Inspector of Police
Bhavani Police Station
Erode District
3. The Public Prosecutor,
High Court, Madras.

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