

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.KALAIYARASAN

Crl. O.P.No.4725 of 2015

A.Mayilsamy

.. Petitioner

Vs.

1. The State,
Rep.by the Inspector of Police,
Chithode Police Station,
Bhavani Taluk,
Erode District.

2. The Superintendent of Police,
Erode District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to direct the respondents to register and investigate the case on the complaint of the petitioner dated 07.02.2015 and take appropriate action in accordance with law.

For petitioner	:	Mr.E.K.Kumaresan
For respondents	:	Mrs.M.F.Shabana
		Govt. Advocate (Crl. Side)

O R D E R

This petition has been preferred by the petitioner before this Court after invoking the proviso to Section 482 of Cr.P.C., to direct the respondents to register a case based on the complaint of the petitioner dated 07.02.2015 and to investigate the same in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents.

3. It is averred in the petition that during the pendency of the civil case before the learned First Additional District Munsif, Erode, one Muthusamy and others, demolished the cattle shed and toilets of the petitioner and hence, a complaint has been lodged by the petitioner with the first respondent. Since

no action was taken on the said complaint, the petitioner has come forward with this petition.

4.The learned Government Advocate (Crl. Side) submits that complaint was treated as petition and after due enquiry, the petition was closed as the dispute is purely civil in nature.

5.According to the learned counsel for the petitioner, the alleged accused trespassed into the petitioner's property and demolished his cattle shed and toilets. It is suffice to observe that the petitioner is at liberty to proceed in the manner known to law, if he is aggrieved by the closure of the complaint as stated by the learned Government Advocate.

6.With the above observation, this Criminal Original Petition is closed.
DP

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police,
Chithode Police Station,
Bhavani Taluk,
Erode District.

2.The Superintendent of Police,
Erode District.

3.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.E.K.Kumaresan, Advocate SR 33812

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