

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.4902 of 2016

M.S.Danapal

.. Petitioner

Vs.

1.State rep. by

The Commissioner of Police,
Chennai City Police,
Vepery, Chennai - 7.

2.The Deputy Commissioner of Police,
Mylapore,
Chennai - 600 004.

3.The Inspector of Police,
Mylapore Police Station,
Mylapore,
Chennai - 600 004.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the third respondent to register the complaint dated 01.02.2016 and investigate the matter.

For Petitioner : Mr.M.Palanivel

For Respondent : Mr.C.Emalias
Addl. Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction to the third respondent to register a case pertaining to the petitioner's complaint dated 01.02.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the third respondent on 01.02.2016, which was taken as C.No.363/COP/Visitors/2016. But the third respondent has not shown any interest to enquire the matter and register the case. Hence, the petitioner has come forward with this petition for the above stated relief.

3. Resisting the same, the learned Additional Public Prosecutor, on instructions, would submit that after receipt of the complaint, enquiry has been conducted and the same was closed on 01.03.2016 since the civil dispute is pending between both the parties. Hence, he prayed for dismissal of the petition.

4. Considered the rival submissions made on both sides and perused the typed set of papers.

5. The property is the separate property of one Saminathan, who is none other than the father of the petitioner, proposed accused and one Vijayakumar. Due to property dispute, the complaint has been given by the petitioner. After due enquiry, the complaint was closed since civil dispute is pending between both the parties. In such circumstances, I am of the view that the Investigating Agency has enquired the matter and it does not warrant any interference. Hence, the Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

cse

To

1.The Commissioner of Police,
Chennai City Police,
Vepery, Chennai - 7.

2.The Deputy Commissioner of Police,
Mylapore, Chennai - 600 004.

3.The Inspector of Police,
Mylapore Police Station,
Mylapore, Chennai - 600 004.

4.The Public Prosecutor
High Court, Chennai.

+ 1 cc to Mr.M. Palanivel, Advocate Sr.14253

Cr1.O.P.No.4902 of 2016

RSY(CO)

Eu 21.03.16