

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2016

CORAM

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.6883 of 2016

Mr.Baboopurushothamar

... Petitioner

Vs

1. The Deputy Superintendent of Police,  
(Anti Land Grabbing Cell)  
District Police Office,  
Tiruvallur District,  
Tiruvallur - 602 001.

2. The Inspector of Police,  
(Anti Land Grabbing Cell)  
District Police Office,  
Tiruvallur District,  
Tiruvallur - 602 001.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.  
seeking a direction to direct the respondent police to register  
the case based on the petitioner's complaint dated 04.06.2015.

For Petitioner : Mr.P.Dhananjayan

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking  
for a direction, directing the respondent police to register the  
case based on the petitioner's complaint dated 04.06.2015.

2. The learned counsel for the petitioner would submit that  
the petitioner has given a complaint to the first respondent on  
04.06.2015, but the first respondent police had not taken any  
steps to register a case and hence, the petitioner has come  
forward with this petition for the above stated relief.

3. At this juncture, the learned Additional Public  
Prosecutor, on instructions, would submit that though the  
petitioner was summoned directing the petitioner to appear  
before the second respondent along with the relevant document,

he did not appear. He further submits that since the dispute between the family members, the respondent police has closed the petitioner's complaint on 01.09.2015.

4. On a perusal of the document, it is seen that the petitioner has given a complaint on 04.06.2015 and on receipt of the same, the respondent police has conducted an enquiry. Though summons have been issued to the petitioner, he did not appear and the counter petitioner viz., Venkatraman appeared and also produced some document. After enquiry, the respondent police has closed the petitioner's complaint on 04.06.2015 as civil in nature. Since the petitioner was not examined, this Court directs the respondent police to reopen the case and the petitioner is also directed to appear before the 2<sup>nd</sup> respondent police on 12.04.2016 along with the relevant document and the second respondent is directed to expedite the enquiry and follow the dictum laid down in Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC) and register a case, if any cognizable offence is made out.

vsm

s/d-  
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Deputy Superintendent of Police,  
(Anti Land Grabbing Cell)  
District Police Office,  
Tiruvallur District,  
Tiruvallur - 602 001.

2. The Inspector of Police,  
(Anti Land Grabbing Cell)  
District Police Office,  
Tiruvallur District,  
Tiruvallur - 602 001.

3. The Public Prosecutor,  
High Court, Madras.

+ 1 cc to M/s.P.Dhanajayan, Advocate SR 22147

bvr(co)  
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