

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.O.P.No.9905 of 2016
and
CrI.MP.No.5226 of 2016

M.Samudevan

...Petitioner

Vs.

1.State by the Inspector of Police,
Polur Police Station,
Tiruvannamalai District.
(Crime No.150/2016)

2.C.A.Kuppan

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to call for the records from the file of the respondent in Crime No.150 of 2016 registered against the petitioner/sole accused herein and quash the First Information Report.

For Petitioner : Ms.M.Rebecca

For Respondent [R1] : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to quash the FIR., in Crime No.150 of 2016 on the file of the first respondent against the petitioner.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

3. On a complaint given by defacto-complainant, the respondent-Police conducted an enquiry in CSR.No.106 of 2016, and thereafter, they have registered FIR., in Crime No.150 of 2016 for the offences under Sections 447, 379 I.P.C., against the petitioner herein, challenging which, the petitioner is

before this Court. It is the case of the defacto-complainant that, he is an ex-serviceman and the land in question belongs to him, and while he had come to Chennai for medical treatment, the petitioner had gone to his land and had taken away the motor-pump, wires and other accessories.

4. The learned counsel for the petitioner submits that the petitioner is the owner of the property and that he cannot theft his own property.

5. This aspect cannot be gone into in a complaint under 482 Cr.P.C., However, the respondent-Police is directed to look into all the aspects of the case, and either file a final report against the petitioner's case, or if found it is false, a closure report may be filed as the case may be.

With the above direction, this Criminal Original Petition is closed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To:
The Inspector of Police,
Polur Police Station,
Tiruvannamalai District.

1 cc to M/s.M.Rebecca, Advocate, sr.30472

Cr1.O.P.No.9905 of 2016

rk co
kra 16.06.2016

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