



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2016

WEB COPY

CORAM:

THE HONOURABLE DR. JUSTICE S.VIMALA

Crl.O.P. (MD) .No.14932 of 2016

C.R.Kamala

.. Petitioner

Vs.

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Inspector of Police,
Anti-Land Grabbing Special Wing,
Trichy City, Trichy.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the second respondent to register a case based on the complaint dated 11.07.2016.

For Petitioner : Mr.R.Suresh Kumar

For respondents : Mr.P.Kandasamy,
Government Advocate
(Criminal side)

For intervener : Mr.C.Vakeeshwaran

ORDER

It is an application seeking a direction to the second respondent to register a case based on the complaint of the petitioner dated 11.07.2016.

2.Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) for the respondents and the learned counsel for the intervener / accused.

3.The learned counsel for the petitioner would submit that the proposed accused, conspiring together, created forged documents in order to grab the property of the petitioner and criminally intimidated him not to claim any right over the said property; therefore, the petitioner has lodged the complaint on 11.07.2016; even after production of all the documents, the second respondent



Police did not register the case; and hence, the petitioner has come up with this petition.

4.The learned counsel appearing for the intervener/accused would submit that already two civil suits are pending and that the matter is purely civil in nature and the respondents did not have authority to take any action based on the complaint of the petitioner dated 11.07.2016.

5.The learned Government Advocate (Crl. Side), on instructions, would submit that petition enquiry is pending before the second respondent.

6. In view of the above submissions made by the learned counsel for the parties, the second respondent is directed hear the petitioner as well as the intervener/accused and to take action in accordance with the law laid down by the Hon'ble Apex Court in **Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC)]** within a period of two weeks from the date of receipt of a copy of this order. In case of closure of the complaint, a copy of the closure report be furnished to the petitioner within a week of such closure. On receipt of the same, it is open to the petitioner to work out her remedy in the manner known to law.

7.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Inspector of Police,
Anti-Land Grabbing Special Wing,
Trichy City, Trichy.

3.The Addl. Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.VAKEESWARAN, Advocate, SR No.45182

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