



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD)No.5045 of 2016

and

Crl.M.P.(MD).No.2490 of 2016

1. Thomas Zachkariya

2. Jasmine Thomas Zachariya ... Petitioners

Vs.

1. The Inspector of Police,
Police Station,
Bhoothapandi,
Kanyakumari District.

2. Mr.Appukuttan ... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the First Information Report in Crime No.13 of 2016 dated 11.01.2016 on the file of the respondent No.1 and quash the same as illegal as against the petitioners.

For Petitioners : Mr.T.Lajapathi Roy

For R1 : Mrs.S.Prabha
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to quash the F.I.R. in Crime No.13 of 2016 dated 11.01.2016 on the file of the first respondent as against the petitioners.

2. It is the case of the de-facto complainant that the land in question belongs to him and on 05.01.2016, these petitioners entered into the land of the de-facto complainant and criminally intimidated the de-facto complainant.

<https://hcservices.ecourts.gov.in/hcservices/>
The learned counsel for the petitioners submitted that the land in question does not belong to the de-facto complainant



and that the Patta given to the de-facto complainant was cancelled.

4. Be that as it may, these are the disputed question of facts, the respondent police to bestow their attention during investigation and not this Court while dealing with the petition under Section 482 of Cr.P.C. Hence, this petition is closed with a direction to the respondent police to look into all these aspects and the Deputy Superintendent of Police shall monitor the investigation and if it is found that the complaint given by the de-facto complainant is false, it is needless to say that the respondent police shall drop further action. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1. The Inspector of Police,
Police Station,
Bhoothapandi,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.T.Lajapathi Roy, Advocate, Sr.No.16654

Akv

JM/GSV-PM/15.04.2016/2P-4C

Cr1.O.P. (MD) No.5045 of 2016
23.03.2016