



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2016

CORAM:

THE HONOURABLE DR. JUSTICE S.VIMALA

Crl.O.P. (MD) .No.8696 of 2016

R.Manikandan

.. Petitioner

Vs.

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Sub Inspector of Police,
Aviyoor Police Station,
Aviyoor,
Kariyapatti Taluk,
Virudhunagar District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the second respondent to register the FIR on the basis of the petitioner's complaint dated 29.05.2016.

For Petitioner : Mr.S.Prabhu

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

ORDER

It is an application seeking a direction to the second respondent to register a case based on the complaint of the petitioner dated 29.05.2016.

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

3.The sum and substance of the complaint of the petitioner is that while a civil suit is pending between the proposed accused and original owner of the land, the proposed accused illegally trespassed into the land, abused the petitioner, who has been maintaining the land with the permission of the original owner, in filthy language and also removed thorn-bush standing there. As the case was registered on the said complaint, the petitioner has come up with this petition.



4. According to the learned Government Advocate (Crl. Side), petition enquiry is pending before the second respondent.

5. In view of the above submission, the second respondent is directed to expedite the enquiry and complete the same within a period of one month from the date of receipt of a copy of this order. During the course of enquiry, if any cognizable offence is made out, the second respondent police shall 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)]. 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 his remedy in the manner known to law.

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

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2. The Sub Inspector of Police,
Aviyoor Police Station,
Aviyoor,
Kariyapatti Taluk,
Virudhunagar District.

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

+One cc to Mr.S.Prabhu, Advocate, SR.No.30524

gcg
RL/5C/2P/DP/29/6/2016

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