



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2016

CORAM

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD).No.9501 of 2016

A.P.Kodiarasan

... Petitioner

-Vs-

1.The Superintendent of Police,
Theni district,
Theni.

2.The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.

... Respondents

Prayer:-Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the respondents to register a case on the basis of the petitioner's complaint dated 06.06.2016 and to investigate the case in accordance with law.

For Petitioner : Mr.S.Bharathi

For Respondents : Mr.A.P.Balasubramani

Government Advocate (Crl.Side)

ORDER

It is an application seeking a direction to the respondents to register a case based on the complaint of the petitioner dated 06.06.2016.

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 the proposed accused have trespassed into the petitioner's land, cut the drumstick trees and thereby caused damage to the tune of Rs.1,50,000/-. They have also threatened the petitioner with dire consequences. As there was no case registered, the petitioner has come up with this petition.



4. According to the learned Government Advocate (Crl. Side), petition enquiry is pending in CSR No.141 of 2016.

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(W)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Theni district, Theni.

2. The Inspector of Police,
Kadamalaikundu Police Station, Theni District.

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

+1 cc to M/s.S.Bharathi, Advocate in SR.No.31366

Mj

CSL/KBM/01.07.2016 :2P/5C

Crl.O.P. (MD) .No.9501 of 2016
20.06.2016