

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.06.2017
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

CrI.O.P.No.8647 of 2017

Vimala

[Petitioner]

Vs

State represented by the

1.The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai.

2.The Inspector of Police,
Central Crime Branch,
Vepery, Chennai.

[Respondents]

Petition filed under Section 482 of the Criminal Procedure Code, to direct the second respondent to register the complaint dated 28.03.2017 given by the petitioner and investigate the same in accordance with law.

For Petitioner : Mr.V.S.Senthil Kumar

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the second respondent to register the complaint dated 28.03.2017 given by the petitioner and investigate the same in accordance with law.

2.The matter relates to land grabbing. In this connection, the petitioner has filed a suit in O.S.No.823 of 2007 on the file of the Principal District Munsif Court, Alandur against the accused and the accused, in turn, filed a suit in O.S.No.220 of 2009 on the file of the Sub-Court, Chengalpattu and both the suits are being tried together on the file of the Sub-Court, Tambaram, Chennai. Though the matter is pending before the Civil Court, the petitioner preferred a complaint dated 17.07.2015 against the accused. She also preferred a criminal complaint before the police personnel for custodial interrogation. It is also stated that had the police conducted enquiry and filed closure report, the petitioner would have approached the

concerned Magistrate for further action as prescribed under law, but the police has arbitrarily closed the complaint and the petitioner also did not receive any closure report from the concerned Magistrate. Hence the petitioner preferred a complaint dated 28.03.2017 to the respondent police, but till now no action has been taken on the said complaint. Hence this Criminal Original Petition.

3.The learned counsel for the petitioner submitted that there are certain other materials available to be produced before the authorities and hence a direction may be issued to the respondent police to register the complaint made by the petitioner on 28.03.2017 and the petitioner may be given liberty to produce the available materials to the respondent police, for consideration.

4.The learned Additional Public Prosecutor appearing for the respondents submitted that the earlier complaint filed by the petitioner was investigated in accordance with law and the same has been closed on 28.04.2017.

5.Considering the submissions made on either side, the petitioner is directed to lodge a fresh complaint before the second respondent, enclosing all the relevant materials available with the petitioner, within a period of two weeks from the date of receipt of a copy of this order. On such filing, the second respondent shall look into the same and if any cognizable offence is made out in the said complaint, the second respondent shall register the same, conduct necessary enquiry and take appropriate action and proceed in accordance with law.

6.The Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai.

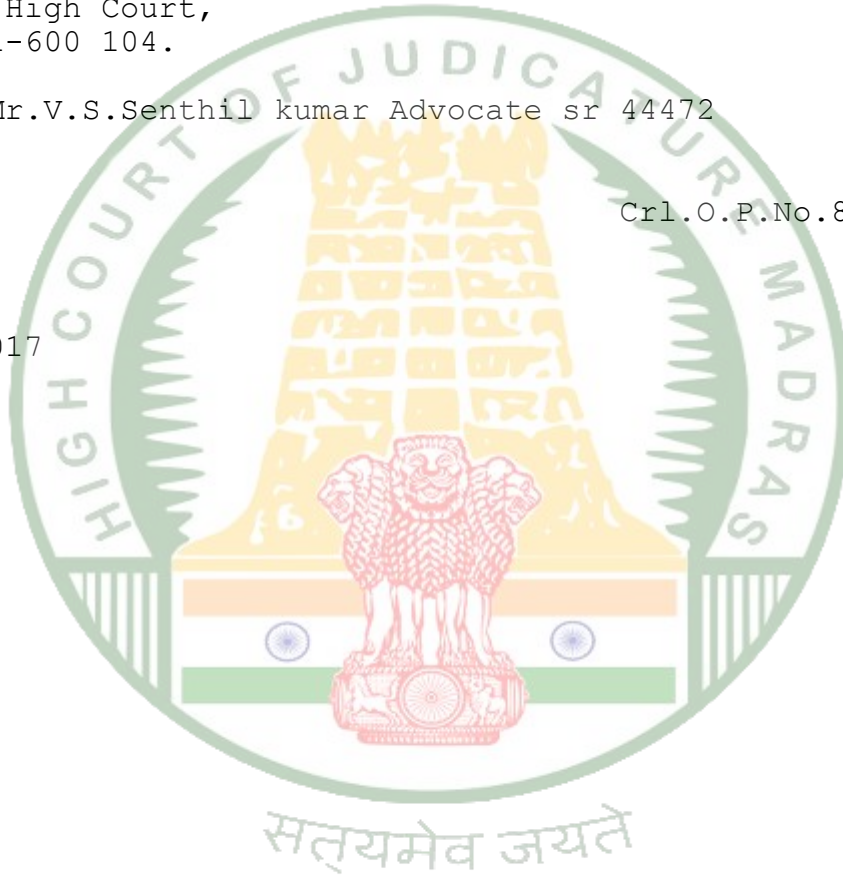
2.The Inspector of Police,
Central Crime Branch,
Vepery, Chennai.

3.The Public Prosecutor,
Madras High Court,
Chennai-600 104.

+1 cc to Mr.V.S.Senthil kumar Advocate sr 44472

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