

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2018
CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.O.P.No.26974 of 2017

R.Sivakumar

.. Petitioner

Vs

1.The Commissioner of Police,
Greater Chennai,
EVK.Sampath Road,
Vepery, Chennai - 600 007.

2.The Inspector of Police,
Central Crime Branch, Team 18,
O/o. Commissioner of Police,
EVK.Sampath Road,
Vepery, Chennai - 600 007.

.. Respondents

Prayer: :Criminal Original Petition filed under Section 482 of Cr.P.C to set aside the proceedings in Ref.No.145/COP/PG/2017 dated 03.11.2017 passed by the second respondent and direct the respondents to register a case on petitioner's complaint dated 09.01.2017, by allowing the Criminal Original Petition before this Hon'ble Court.

For Petitioner : Mr.N.Manokaran

For Respondents : Mrs.P.Kritika Kamal
Government Advocate (Crl.side)

सत्यमेव जयते
O R D E R

The prayer sought for in the present petition is to set aside the proceedings in Ref.No.145/COP/PG/2017 dated 03.11.2017 passed by the second respondent and direct the respondents to register a case on petitioner's complaint dated 09.01.2017, by allowing the Criminal Original Petition before this Hon'ble Court.

2. Among the various grievances expressed by the petitioner in his complaint dated 09.01.2017, one of the averments is that on the date of execution of the alleged sale deed, his mother Mrs. Pattu, who died in the year 2012 was impersonated for the purpose of registration of the documents. However, the

petitioner complaint has been addressed to the first respondent herein and referred to the Land Grabbing Cell and consequently, a report came to be issued on 03.11.2017, stating that the complaint did not inform any commission of offence in respect of land grabbing and hence, the petitioner was directed to approach the concerned authorities seeking relief.

3. In my view the averments in the complaint constitutes cognizable offence punishable under the IPC. Hence it would be appropriate to direct the respondents to investigate the petitioner's herein complaint.

4. Under the circumstances the Closure report dated 03.11.2017, issued by the second respondent herein is set aside. Consequently, the first respondent is directed to refer the petitioner's complaint to appropriate Investigation Officer for the purpose of investigation. Such exercise shall be done within a period of two weeks from the date of receipt of a copy of this order.

5. The Criminal Original Petition stands allowed accordingly.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

nmm

To

1.The Commissioner of Police,
Greater Chennai,E.V.K.Sampath Road,
Vepery, Chennai-600 019.

2.The inspector of Police, Central Crime Branch Team-18,
O/O. The Commissioner of Police,
E.V.K.Sampath Road,
Vepery, Chennai.

3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.N.Manokaran, Advocate, S.R.No.6094

CrI.O.P.No.26974 of 2017

RRK(12/02/2018)