



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2018

CORAM

WEB COPY

THE HONOURABLE **MR. JUSTICE P.RAJAMANICKAM**

Crl.O.P. (MD) No.1326 of 2018

Kuttiraj

... Petitioner

Vs.

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

2. The Sub Inspector of Police,
Koomapatti Police Station,
Virudhunagar District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to register the FIR based on the complaint dated 10.08.2017 made by the petitioner and investigate the same in accordance with law within the time prescribed by this Court.

For Petitioner : Mr.A.D.Ganesha Moorthi

For Respondents : Mr.Prabu Ramachandran
Government Advocate (Crl.side)

O R D E R

This petition has been filed to direct the second respondent to register an FIR based on the complaint given by the petitioner dated 10.08.2017.

2.The learned counsel for the petitioner has submitted that the proposed accused has filed a suit in O.S.No.1147 of 2004 for partition that, in that suit a preliminary decree and final decree have been passed and thereafter the proposed accused trespassed into the petitioner's land and cut coconut trees and giving disturbance to the petitioner's peaceful possession and enjoyment of his property. Hence, the petitioner has lodged a complaint before the second respondent on 10.08.2017, but sofar, no action



3. The learned Government Advocate (Crl.Side) has submitted that after receipt of the complaint, enquiry has been conducted and it was found that the dispute is civil in nature. Hence, the complaint has been closed.

4. Recording the aforesaid submissions, this Criminal Original Petition is disposed of. It is open to the petitioner to avail any other remedy which is available under the law.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Sub Inspector of Police,
Koomapatti Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 cc TO Mr.A.D.Ganesha Moorthi , Advocate in SR No. 44681

cp
AE/MR/SAR1/19.02.2018/2P/5C

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