



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAM

CRL.O.P. (MD) No. 2184 of 2018

R. Arockiasamy

... Petitioner

-Vs-

1. State Rep. By
The Superintendent of Police,
Theni District, Theni.

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

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent to register the case on the complaint of the petitioner dated 01.11.2017.

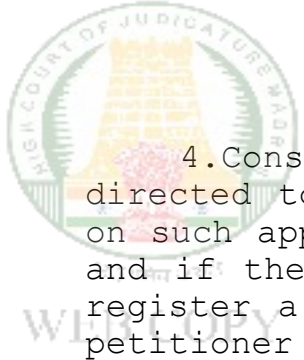
For Petitioner : Mr. T. Selvan
For Respondents : Mr. Prabu Ramachandran,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, to direct the second respondent to register a case based on the complaint given by the petitioner, dated 01.11.2017.

2. The learned counsel appearing for the petitioner has submitted that the petitioner has got certain properties through family partition, dated 23.06.1994. He further submitted that the proposed accused persons without having right over the said property with a view to grab the said property, created an unregistered sale agreement and based on the said agreement trespassed into the petitioner's property and put up cattle shed, hence, the petitioner has lodged a complaint before the second respondent, dated 01.11.2017, but so far, no action has been taken.

3. The learned Government Advocate (Crl. Side) has submitted that after receipt of the complaint, summons was served on the petitioner, but he did not appear for enquiry and hence the enquiry is still pending.



4. Considering the aforesaid submissions, the petitioner is directed to appear before the second respondent on 01.03.2018, and on such appearance, the second respondent has to enquire the matter and if the enquiry reveals any cognizable offence, then he has to register a case and proceed in accordance with law. In case, the petitioner failed to appear on that date, then it is open to the second respondent to drop further proceedings.

5. with the aforesaid observations, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 CC TO Mr.T.SELVAN, ADVOCATE IN SR No. 49146

IA
TE/CVC/SAR-2 : 15/03/2018 : 2P/5C

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