



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAM

CRL.O.P. (MD) No. 2432 of 2018

WEB COPY

P.Mathivanan

... Petitioner

-Vs-

1. The Superintendent of Police,
O/o.The Superintendent of Police,
Thanjavur District.
2. The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Orathanadu, Thanjavur District.
3. The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent No.3, to register the F.I.R., on the basis of the complaint preferred by petitioner dated 01.01.2018 in accordance with law.

For Petitioner : Mr.R.Alagumani
For Respondents : Mr.Prabu Ramachandran,
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the third respondent to register the case on the basis of the complaint given by the petitioner dated 01.01.2018.

2.Heard Mr.R.Alagumani, the learned counsel appearing for the petitioner and Mr.Prabu Ramachandran, the learned Government Advocate (Crl.Side) appearing for the respondents.

3.The learned counsel appearing for the petitioner has submitted that the petitioner is a cultivating tenant of agricultural land, which belongs to the proposed accused. He further submitted that on 19.12.2017, when the petitioner was irrigating the said land, the proposed accused came there and damaged the agricultural crops and criminally intimidated the petitioner by saying his caste name in the public view and hence, the petitioner has lodged a complaint before the third respondent on 19.12.2017, itself. He further submitted that since no action has been taken, the petitioner has lodged another complaint dated 01.01.2018, on that complaint also, the third respondent has not taken any action.



4. The learned Government Advocate (Crl.side) has submitted that after receipt of the complaint C.S.R.No.301 of 2017 has been issued, and thereafter, the petitioner has sent another complaint dated 01.01.2018 and the receipt of the said complaint C.S.R.No.6 of 2018 has also been issued. He further submitted that in respect of the both complaints, the third respondent has issued summons to the petitioner directing him to appear for enquiry, but the petitioner refused to receive the said summons and hence, the said summons was affixed on the outer door of the petitioner's house in the presence of Village Administrative Officer. Even thereafter, the petitioner did not appear for enquiry. Hence, after pursuing of the petitioner's complaints and after enquiry of the proposed accused persons, the said complaints have been closed on 13.02.2018 as the matter is relating to civil dispute.

5. 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 (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Thanjavur District.
2. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Orathanadu, Thanjavur District.
3. The Inspector of Police,
Vattathikottai Police Station,
Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Alagumani, Advocate SR.No.52810

DAS

VB/SV/MMS/SAR4/20.03.2018/2P/6C

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01.03.2018