



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2463 of 2018

Mariya Vijaya

... Petitioner

-Vs-

1.The Superintendent of police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of police,
Panakudi police station,
Tirunelveli District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, praying to direct the second respondent to register a case on the basis of the petitioner's complaint dated 19.01.2018 and to take appropriate action as against the proposed accused within the time stipulated by this Court.

For Petitioner : Mr.M.R.Sreenivasan

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 a case based on the complaint given by the petitioner dated 19.01.2018.

2. Heard the learned counsel appearing for the petitioner and the Government Advocate (Crl.Side) appearing on behalf of the respondents.

3. The learned counsel for the petitioner has submitted that the petitioner is the owner of the land measuring 1 Acre 58 Cents in Survey No.423/1 of Panakudi Village. He further submitted that the proposed accused persons trespassed into the petitioners property and took the soil by digging 30 feet depth and removed the soil worth about Rs.30,000/-. When the same was questioned by the petitioner, the proposed accused abused her and also criminally intimidated her. Hence the petitioner has lodged a



complaint before the second respondent on 19.01.2018, but so far no case has been registered.

4. The learned Government Advocate (Crl.Side) has submitted that after receipt of the said complaint CSR No.32 of 2018 has been issued and enquiry has been conducted. During enquiry, the petitioner has appeared before the second respondent and gave a written statement stating that she will work out the remedy before the civil Court. Accordingly, the said complaint has been closed.

5. The learned counsel for the petitioner by way of reply has submitted that the second respondent has not sent any intimation regarding the closure of the said complaint.

6. Recording the aforesaid submissions, this criminal original petition is disposed of. The second respondent is directed to sent intimation to the petitioner by RPAD with regard to the closure of the complaint within a week. It is open to the petitioner to avail any appropriate remedy which is available under law.

Sd/-

Assistant Registrar(Cs-I)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of police,
Panakudi police station,
Tirunelveli District.

3.The Government Advocate (Crl.Side)
Madurai Bench of Madras High Court,
Madurai.

+1CC TO M/S.M.R.SREENIVASAN, Advocate, Sr No.52661

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