



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2596 of 2018

WEB COPY

G.BalaKrishnan

... Petitioner

-Vs-

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

2.The Inspector of Police,
Kadayanallur Police Station,
Kadayanallur, Tirunelveli District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police, to register a case based on the petitioner's complaint dated 15.06.2016.

For Petitioner	: Mr.S.Mathavan
For Respondents	: Mr.Prabu Ramachandran, Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the second respondent, to register a case based on the complaint given by the petitioner dated 15.06.2016.

2.Heard Mr.S.Mathavan, 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 on 13.06.2016, the proposed accused persons trespassed into the petitioner's land and plucked 100 coconuts and taken away. Hence, the petitioner has lodged a complaint on 15.06.2016, but sofar, no action has been taken.

4.The learned Government Advocate (Crl.side) has submitted that after receipt of the complaint, enquiry has been conducted and the same was closed on 07.08.2016.

5.The learned counsel appearing for the petitioner by way of reply has submitted that after closing of the petitioner's complaint dated 15.06.2016, by the second respondent, the petitioner herein has filed a private complaint before the learned Judicial Magistrate, Tenkasi, on 31.08.2017 and the learned Judicial



Magistrate, Tenkasi has forwarded the said complaint to the second respondent under Section 156(3) of Cr.P.C. Even thereafter, the second respondent has not taken any action.

6. Considering the aforesaid submissions, the second respondent is directed to verify whether the learned Judicial Magistrate, Tenkasi has forwarded the petitioner's complaint by the order dated 31.08.2017 and if any complaint is forwarded by the learned Judicial Magistrate, Tenkasi, the second respondent has to register the case immediately without further delay.

7. With the aforesaid direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to M/S.S.Chellapandian, Advocate SR.No. 52601

CRL.O.P.(MD)No.2596 of 2018
02.03.2018

das

JM/KK/SAR 4/20.03.2018/2P/5C