



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.01.2018

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

Cr1.O.P.(MD) No.772 of 2018

K.Sivaraj

...Petitioner

Vs.

1. The Superintendant of Police,  
Theni,  
Theni District.

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

...Respondents

**PRAYER:** Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent to register a case on the complaint of the petitioner dated 27.11.2017.

For Petitioner : Mr.S.C.Herold Singh

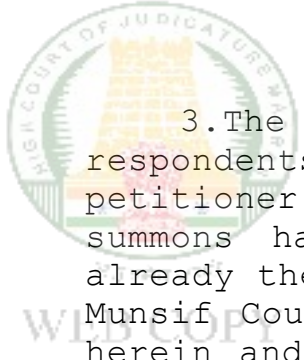
For Respondents : Mr.Prabhu Ramachandran  
Government Advocate (Cr1.Side)

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### **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 of the petitioner dated 27.11.2017.

2.The learned counsel for the petitioner submitted that the petitioner is one of the members in Thirumalapuram Nadargal Uravinmurai Sangam, bearing Reg.No.177/98. He further submitted that one Jeya Prakash and L.Gurusamy, who are in no way connected with the said Sangam, trespassed into the students hostel, which is under the control of the said Sangam and collected a sum of Rs.16,500/- from each student. He further submitted that the petitioner, in respect of the aforesaid act, has lodged a complaint on 27.11.2017 before the second respondent, but so far no case has been registered.



3.The learned Government Advocate (Crl.Side) appearing for the respondents submitted that after lodging the complaint, the petitioner not at all co-operating for enquiry, even though summons have been served on him. He further submitted that already the said Jeya Prakash has filed a suit before the District Munsif Court, Theni, in O.S.No.48 of 2016 against the petitioner herein and the same is still pending and hence, he requested the Court to direct the petitioner to appear for enquiry.

4.Considering the aforesaid statement, the petitioner is directed to appear before the second respondent for enquiry on 29.01.2018 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 further in accordance with law. In case, the petitioner failed to appear on that day, it is open to the second respondent to drop the further proceedings.

5.With the aforesaid submission the criminal original petition is disposed of.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 cc TO Mr.S.C.Herold Singh , Advocate in SR No. 42603

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AE/JC/SAR1/30.01.2018/2P/5C

Crl.O.P.(MD) No.772 of 2018  
18.01.2018