



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2018

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CRL.O.P. (MD)No.15329 of 2017

WEB COPY

Poovalingam

: Petitioner

Vs.

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

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

: Respondents

Prayer:Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent herein to register the complaints given by the petitioner, dated 27.03.2017 and 27.10.2017 and to take necessary action in accordance with law within the time stipulated by this Court.

For Petitioner	: Mr.C.Jegannathan for M/s.Veera Associates
For Respondents	: Mr.M.Chandra Sekaran Additional Public Prosecutor

O R D E R

This petition is filed seeking a direction to the 2nd respondent police to register a case based on the complaints given by the petitioner dated 27.03.2017 and 27.10.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. According to the petitioner, the petitioner made a complaint to the respondent police against the proposed accused on 27.03.2017 and 27.10.2017. But no action has been taken on the said complaints. Hence, the present petition has been filed before this Court.

4. When the matter is taken up for hearing, the learned Additional Public Prosecutor on instructions, would submit that both the parties have appeared for enquiry and thereafter they came to a conclusion that both of them shall work out their remedy before the competent Civil Court, since the dispute is purely civil in nature and also a Civil Suit is pending before the Civil Court.



5. The learned counsel for the petitioner would submit that the said complaint made by the petitioner *prima facie* discloses the commission of offence and therefore, the respondent may be directed to register the complaint. He further seeks liberty to work out his remedy before the Civil Court.

6. In the light of the above, the Criminal Original Petition is dismissed with liberty to the petitioner to approach the concerned Civil Court to work out his remedy in the manner known to law.

Sd/
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

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

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

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.VEERA ASSOCIATES, Advocate, SR.No. 67865

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PJL
KK/SB/SAR-3/19.06.2018/2P-5C