



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRL.O.P. (MD) No. 9072 of 2018

D.Chokkanathan

.. Petitioner

Vs.

1. The Superintendent of Police,
Madurai District,
Madurai.
2. The Inspector of Police,
B-3, Theppakulam Police Station,
Madurai District.

.. Respondents

Petition is filed under Section 482 of the Criminal Procedure Code, directing the Inspector of Police, B-3, Theppakulam Police Station, Madurai District, to register the petitioner's complaint, dated 15.05.2018 as an F.I.R.

For Petitioner : Mr.R.Anand

For Respondents : Mr.K.K.Ramakrishnan

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking a direction to the Inspector of Police, B-3, Theppakulam Police Station, Madurai District/the second respondent herein, to register the petitioner's complaint, dated 15.05.2018 as an F.I.R.

2. According to the petitioner, he is a tenant under the proposed accused and due to dispute between them, R.C.O.P.No.192 of 2011, which was filed for eviction before the District Munsif Court, Madurai, is pending. In the meantime, the proposed accused forcibly tried to evict the petitioner from the shop with the help of Goondas. Hence, the petitioner preferred a complaint under Sections 294(b) and 506(ii) IPC. Though the respondents have acknowledged the same and assigned C.S.R.No.111/2018, no action has been taken on the petitioner's complaint. Hence, the petitioner has approached this Court with the present Criminal Original Petition.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned Additional Public Prosecutor submitted that



based on the complaint given by the petitioner, the enquiry was conducted and the parties were directed to approach the competent Civil Court to seek their remedy. However, the learned counsel appearing for the petitioner submitted that the petitioner was not called for enquiry.

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4.It seems from the submissions of the parties that already R.C.O.P.No.192 of 2011, which was filed for eviction is pending before the District Munsif Court, Madurai and the petitioner is also having remedy to obtain an interim order from the concerned Court.

5.In the light of the above, no further adjudication is necessary in this Criminal Original Petition. Hence, this Criminal Original Petition is dismissed. It is open to the petitioner to work out his remedy before the competent Court, in the manner known to law, if he is so advised.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

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

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TE/SB/SAR-2 : 19/06/2018 : 2P/4C

CRL.O.P. (MD) No.9072 of 2018
07.06.2018