



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CRL.O.P. (MD) No.9757 of 2018

WEB COPY

A.Manimegala

.. Petitioner

Vs.

1.State rep. By

The Commissioner of Police,
Madurai City,
Madurai - 2.

2.The Inspector of Police,

Koodalpudur Police Station,
Madurai City.

.. Respondents

Petition is filed under Section 482 of the Criminal Procedure Code, directing the second respondent to register a case on the basis of the petitioner's complaint, dated 16.04.2018.

For Petitioner

: Mr.R.Aravindan

For Respondents

: Mr.K.Suyambulinga Bharathi

Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the second respondent to register a case on the basis of the petitioner's complaint, dated 16.04.2018.

2.According to the petitioner, she is a retired Government Employee and the owner of the property comprised in Door No.7/34, situated at Ganapathi Nagar 2nd Main Road, New Vilangudi, Madurai. Taking advantage of her absence, the proposed accused has trespassed into the house property by removing the lock and illegally occupied the premises without the consent of the petitioner. Hence, the petitioner made a complaint against the above said accused before the second respondent. Since no action has been taken on the petitioner's complaint, the petitioner has approached this Court with the present Criminal Original Petition.

3.The learned Government Advocate (Criminal side) submitted that the petitioner is not co-operating to conclude the enquiry and therefore, the said complaint is pending with the second respondent police. If the petitioner co-operates for enquiry, the complaint will be enquired and further action would be taken on the same.



4.The learned counsel for the petitioner submitted that the petitioner is ready to appear and co-operate for enquiry.

5.In view of the above said submission made by both parties, the petitioner is directed to appear for enquiry on 18.06.2018 before the second respondent police. The second respondent is directed to conduct the enquiry in accordance with law. While conducting the preliminary enquiry, he shall put the concerned parties upon notice. At the end thereof, if any cognizable offence is made out, the second respondent shall duly register a case and proceed in accordance with law, otherwise, further proceedings shall be dropped. In the event of effecting closure of the case upon conducting a petition enquiry, a copy of the closure report shall be forwarded to the complainant. The above said exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

6.With the above directions, this Criminal Original Petition is disposed of.

Sd/
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,
Madurai City,
Madurai - 2.

2.The Inspector of Police,
Koodalpudur Police Station,
Madurai City.

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

+1cc to Mr.R.ARAVINDAN, Advocate, SR.No. 68547

CRL.O.P.(MD) No.9757 of 2018
18.06.2018

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<https://hcservices.vic.gov.au/28.06.2018/2P-5C/>