

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.OP.No.17014 of 2019

Mrs.D.Kumutha

...Petitioner

Vs.

The Inspector of Police,
T-8, Muthapudupet Police Station,
Chennai 600 055.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondent police to register and investigate the petitioner's complaint dated 01.06.2019 in C.S.R.No.147 of 2019 and to initiate criminal proceedings.

For Petitioner : Mr.K.Sakthivel

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent police to register and investigate the petitioner's complaint dated 01.06.2019 in C.S.R.No.147 of 2019 and to initiate criminal proceedings.

2. The learned Additional Public Prosecutor on instructions submitted that complaint was taken on file in C.S.R.No.147 of 2019 and after enquiry, the same was closed as civil in nature.

3. The learned counsel for the petitioner submitted that the accused in this case is an advocate, who has illegally trespassed into the property and in order to escape from the consequences, has proceeded to file a suit before the Civil Court. In view of the same, the respondent police even without conducting an enquiry, have closed the complaint as civil in nature.

4. Taking into consideration the facts and circumstances of the case, liberty is granted to the petitioner to workout her remedy by filing a private complaint before the Competent Court and proceed further in accordance with law.

5. This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jas/rka

To

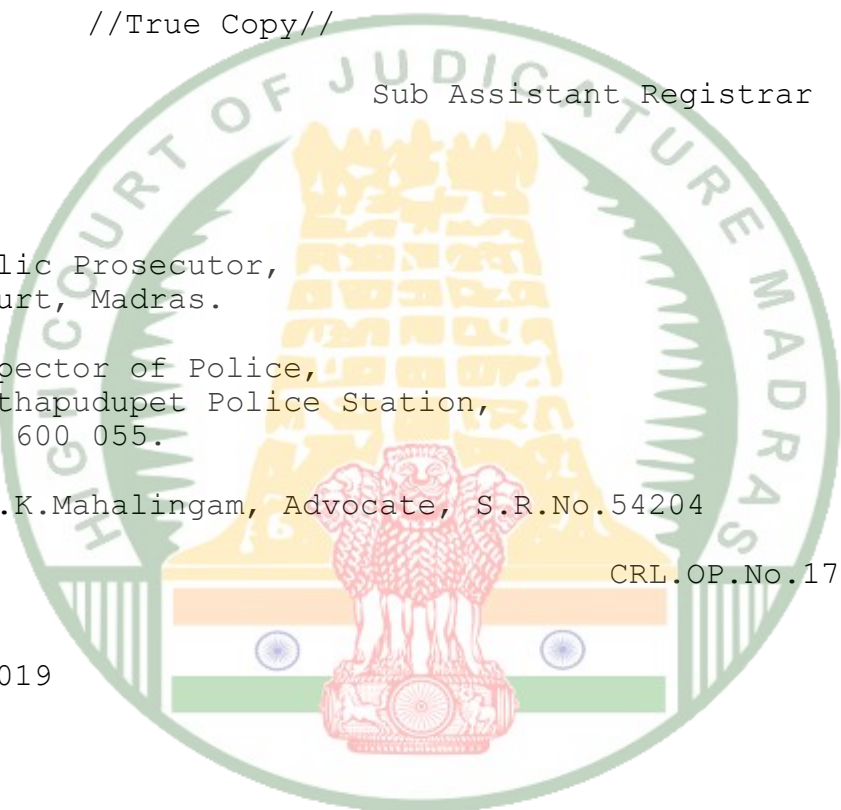
1. The Public Prosecutor,
High Court, Madras.

2. The Inspector of Police,
T-8, Muthapudupet Police Station,
Chennai 600 055.

+1cc to Mr.K.Mahalingam, Advocate, S.R.No.54204

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SS(CO)
CS/05/08/2019

The seal of the High Court of Judicature Madras is a circular emblem. It features a central illustration of the Lion Capital of Ashoka, which is a four-lion capital standing on a base. The capital is set against a background of a yellow and orange striped field. The entire emblem is encircled by a green border containing the text 'HIGH COURT OF JUDICATURE MADRAS' in white capital letters. Below the emblem, the Sanskrit motto 'सत्यमेव जयते' (Satyameva Jayate) is written in Devanagari script.

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