



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.2562 of 2015

- 1.Arulmigu Pathirakali Amman Koil,
Gnanammal Kattalai, Pettai-2,
Kunnathur, Tirunelveli
for the Secretary of Rajagopal
- 2.Arulmigu Pathirakali Amman Koil,
Gnanammal Kattalai, Pettai-2
Kunnathur, Tirunelveli
for the Secretary of Esakkimuthu
- 3.Arulmigu Pathirakali Amman Koil,
Gnanammal Kattalai, Pettai-2,
Kunnathur, Tirunelveli
For the Secretary of Shanmugakani
- 4.Arulmigu Pathirakali Amman Koil,
Gnanammal Kattalai, Pettai-2,
Kunnathur, Tirunelveli
For the Secretary of Perumal.

... Petitioners/Complainant

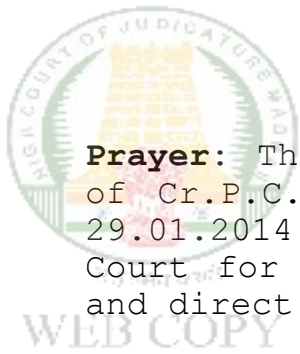
Vs.

- 1.The Inspector of Police,
City Crime Branch,
Tirunelveli.

... 1st Respondent/1st Respondent

- 2.Periyasamy
3. Eswari
4. Kumar
5. Sahaya Adaikala Stella
6. Padma
7. Paulraj
- 8.Rajaperumal
- 9.Balakrishnan
- 10.Mayilvahanam
- 11.Esakkimuthu
- 12.Paramasivan
- 13.Kanthuravi
- 14.Kamaraj
- 15.Mariammal

... Respondents 2 to 15/Proposed Accused



Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the order dated 29.01.2014 made in Cr.M.P.No.535 of 2013, on the file of Special Court for Land Grabbing Cases, Tirunelveli and set aside the same and direct the 1st respondent register the complaint as prayed for.

For Petitioners : Mr.R.Gandhi
For R-1 : Mr.A.Robinson
Government Advocate (crl.side)
For R-2 : Mr.R.Manimaran

O R D E R

The petitioner filed a complaint under Section 200 of Cr.P.C., before the Special Court for Land Grabbing Cases, Tirunelveli.

2.In Cr.M.P.No.535 of 2013, dated 29.01.2014, the learned Magistrate issued a direction under Section 156(3) of Cr.P.C. But the Inspector of Police, City Crime Branch, Tirunelveli, without even registering the First Information Report chose to close the matter. The said report was accepted as such by the learned Special Magistrate. Questioning the same, this Criminal Original Petition has been filed.

3.The grievance of the petitioner is that they were not even given liberty to file a private complaint. I am of the view that the said grievance is well founded. Therefore, even while disposing this Criminal Original Petition, the petitioner is given liberty to institute a private complaint under Section 200 of Cr.P.C., before the learned Judicial Magistrate No.I, Tirunelveli.

4.Accordingly, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

sjj/Ls

To

1.The Judicial Magistrate No.I, Tirunelveli.

2.The Special Court for Land Grabbing Cases,
Tirunelveli.



3.The Inspector of Police,
City Crime Branch, Tirunelveli.

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

+1 CC to M/s.R.GANDHI, Advocate (SR-88638[F] dated
23/09/2019)

CrI.O.P (MD) No.2562 of 2015
20.09.2019

JM/22.10.2019/3P/6C