

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.13221 of 2017

and

Cr1.M.P.Nos.1 & 2 of 2015

V.Edwin Paul
S/o.M.Vincent

... Petitioner

.Vs.

1. The State rep.by
its Commissioner of Police,
Egmore, Chennai - 600 008.

2. The Inspector of Police,
T-7, Tank Factory Police Station,
Avadi, Chennai - 600 054.

3. M.Paramasivam,
S/o.Maruthamuthu

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the proceedings in Crime No.983 of 2012, on the file of the second respondent herein and to quash the same.

For Petitioner: Ms.Elizabeth Ravi

For Respondents: Mr.C.Iyyapparaj

Additional Public Prosecutor

[for RR1&2]

Ms.Vrindha Ramesh [for R3]

Legal aid counsel

O R D E R

Ms.Elizabeth Ravi, learned counsel for the petitioner, Mr.C.Iyyapparaj, learned Additional Public Prosecutor appearing for the 1st and 2nd respondents and Ms.Vrindha Ramesh, learned legal aid counsel appearing for the 3rd respondent are present.

2. Learned counsel for the petitioner seeks permission of this Court to withdraw this petition after perusing the status of F.I.R in Crime No.983 of 2012 from the Police Department website finding "further action dropped".

3. Learned Additional Public Prosecutor would submit that from the report it is seen that there is land dispute between the petitioner and the de facto complainant. He would further submit that since the claim over the property and the land records were not clear on the classification of the property, the District Collector appointed five members committee to go into the issue and find whether the land in dispute is a Government land or Poramboke land. In the meanwhile, the petitioner filed a suit in O.S.No.333 of 2010 before the Assistant Special Judge, Poonamallee, which is pending, recording these facts the respondent police directed the parties to approach the Civil Court for remedies and closed the case as 'further action dropped'.

4. Learned counsel for the 3rd respondent / de facto complainant would submit that he was not posted of any such development.

5. In view of the same, this Criminal Original Petition is dismissed as withdrawn. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Police,
Egmore, Chennai - 600 008.
2. The Inspector of Police,
T-7, Tank Factory Police Station,
Avadi, Chennai - 600 054.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.13221 of 2017
and
Crl.M.P.No.8585 of 2017

bs (co)
rr ii (20/11/2020)