



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.08.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

CrI.O.P.(MD)No.8919 of 2020

WEB COPY

1.Rathakrishnan

2.Periyasamy

... Petitioners

Vs.

The Inspector of Police,
Anti Land Grabbing Special Wings,
Theni.

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent to register a case based on the order in Cr.M.P.No.Nil of 2020, dated 17.03.2020 passed by the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Theni, within the time stipulated by this Court.

For Petitioners : Mr.M.Maran

For Respondent : Mr.S.Chandrasekar

Additional Public Prosecutor

O R D E R

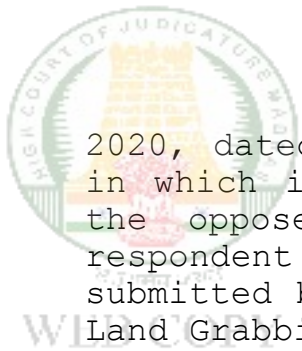
This petition has been filed seeking direction to the respondent to register a case based on the order in Cr.M.P.No.Nil of 2020, dated 17.03.2020 passed by the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Theni, within the time stipulated by this Court.

2.Now on going through the bare reading of the order passed by the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Theni, it appears as follows :

"Petitioner present. Perused the case records.

This petition filed u/s.156(3) Cr.P.C. Hence this petition is forwarded to the Anti Land Grabbing Special Wing, Theni. Proper investigation to this case and register the FIR otherwise report filed before this Court as early date."

3.In this regard, the learned Additional Public Prosecutor appearing on behalf of the respondent, on instructions, would submit that by obeying the order passed by the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Theni, in Cr.M.P.No.Nil of



2020, dated 17.03.2020, the respondent herein conducted an enquiry, in which it was found that the dispute between the petitioner and the opposed party is civil in nature. In this regard, the respondent herein prepared a report and the same is yet to be submitted before the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Theni.

4.The said submission made by the learned Additional Public Prosecutor is recorded. However, considering the facts and circumstances of this case, the petitioner is at liberty to approach this Court after seeing the report filed by the respondent police.

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Rm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1. The Inspector of Police,
Anti Land Grabbing Special Wings,
Theni.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.[MD]No.8919 of 2020
25.08.2020

CS(07.09.2020) 2P 3C