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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.14628 OF 2021

C.Palanisamy

... Petitioner

Versus

The Inspector of Police,  
Pochampalli police station,  
Pochampalli,  
Krishnagiri District

... Respondent

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to investigate the case on the file of the Pochampalli Police Station, Krishnagiri District and register FIR.

For Petitioner : Mr.M.D.Thirunavukkarasu

For Respondent : Mr.A.Damodharan,  
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the respondent police to register the First Information Report.

2. The contention of the petitioner is that even though the petitioner had given a complaint on 30.06.2021, no action taken on the same till date. Hence, the present petition.

3. The learned Government Advocate (crl. side) appearing for the respondent would submit that on the complaint given by the petitioner, CSR No.110 of 2021 assigned. On the same day, his brother Govindaraj also lodged a complaint, for which, CSR No.111 of 2021 assigned. Both the complaints are case in counter. Both of them appeared for enquiry and thereafter, agreed to withdraw their complaints since it is a land dispute between the family members.



4. The learned counsel for the petitioner would submit that he has not agreed for withdrawal of his complaint and at that time, the petitioner was in hospital and the respondent police is falsely making such statements.

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5. I have considered the submissions made on either side and perused the materials available on records carefully.

6. From a perusal of the CSR, and the Closure Report, it is seen that both the complaints had been obtained while the petitioner and the counter complainants were admitted in the Government Hospital. Thereafter, both of them agreed to withdraw same and given statements to that effect and hence, nothing survives for adjudication in this petition and the same is liable to be dismissed.

7. Accordingly, the Criminal Original Petition is dismissed. The respondent police is directed to furnish the closure report to the petitioner. Thereafter, the petitioner, to agitate the same, if so aggrieved.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Inspector of Police,  
Pochampalli police station,  
Pochampalli,  
Krishnagiri District.
2. The Public Prosecutor,  
High Court, Madras - 104

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PCH(CO)  
PBS/17/09/2021