



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

Crl.O.P. (MD)No.14569 of 2020

G.Kesavan

S/o.Gurusamy Chettiyar

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Melur Police Station,
Madurai District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent No.2 to file a final report in Crime No.367 of 2016 on the file of the respondent No.2 Police station within a time frame fixed by this Court.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.S.Manikandan

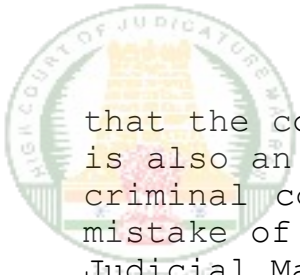
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking direction to the second respondent to file a final report in Crime No.367 of 2016 on the file of the second respondent police station within a time frame.

2.The learned counsel for the petitioner would submit that there is land dispute between the petitioner and the his brothers in respect of which, the petitioner has filed a Partition suit in O.S.No.6 of 2011 and the same is pending before the learned IV Additional District Judge, Madurai. The grievance of the petitioner is that when the civil suit is pending, the accused persons trespassed into the petitioner's land and threatened him to vacate the premises. Hence, he gave a complaint.

3.The learned Government Advocate(Crl.side) would submit that based upon the complaint given by the petitioner, enquiry was undertaken and during the course of enquiry, it was found that there was land dispute between the parties and further enquiry reveals



that the complaint given by the petitioner is mistake of fact and it is also an exaggeration version and the petitioner is trying to give criminal colour to the civil dispute and as such, it was closed as mistake of fact, based upon which, final report was filed before the Judicial Magistrate Court, Mellur.

WEB COPY

4.Recording the submission made by the learned Government Advocate that the complaint has been closed, nothing survives for further direction or consideration in this petition. Copy of the closure report be circulated to the learned counsel for the petitioner. Since the dispute is civil in nature, the petitioner is directed to work out his remedy through appropriate proceedings before the appropriate Civil Forum.

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

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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 Superintendent of Police,
O/o.The Superintendent of Police,
Madurai District.
- 2.The Inspector of Police,
Melur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KB (07.01.2022) 2P 4C