



WEB COPY



CrI.O.P.No.26523 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

CrI.O.P.No.26523 of 2022

S.Jayamanju

... Petitioner

/vs/

1.The Superintendent of Police Coimbatore (Rural)
O/o.Superintendent of Police (Rural),
State Bank Road,
Coimbatore 641 018.

2.The Deputy Superintendent of Police,
O/o.District Deputy Superintendent of Police,
Coimbatore, Coimbatore District.

3.The Inspector of Police,
Sulur Police Station,
Sulur, Coimbatore District.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the respondents 1 to 3 herein to register the FIR, enquire the matter in detail and proceed further legally.

For Petitioner ... Mr.A.Veerassamy

For Respondents ... Mr.S.Santhosh,
Govt. Advocate (CrI. Side)



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ORDER

This Criminal Original Petition has been filed to direct the respondents 1 to 3 herein to register the FIR, enquire the matter in detail and proceed further legally.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.

3. The learned counsel for the petitioner submitted that a suit for partition was filed by one Parvatham against the petitioner and her sister in O.S.No.682 of 2012 on the file of IV Additional District & Sessions Judge, Coimbatore; in the said suit, a preliminary decree was passed on 09.07.2019; subsequent to that, a final decree proceedings is also pending before the Court; the grievance of the petitioner is that during the pendency of the final decree proceedings, the said Parvatham and others trespassed into the petitioner's property, cut down and taken away 400 coconut trees and also threatened the petitioner with dire consequences; in this regard, she has given a complaint to the respondent police; but so far no action has been taken on the said complaint.



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4. The learned Government Advocate (Criminal Side) on instructions submitted that on the complaint given by the petitioner, a petition enquiry was conducted in CSR No.637 of 2022; on conclusion of the preliminary enquiry, the petition was closed as civil in nature.

5. However, the learned counsel for the petitioner submitted that the closure report was not served on her.

6. If the enquiry was conducted and the complaint was closed, it is obligatory on the part of the third respondent police to serve closure report on the petitioner. If the petitioner is not satisfied with the closure report, she is at liberty to seek remedy by invoking Section 156(3) of Cr.P.C or under Section 200 of Cr.P.C.

7. With the above observations, this Criminal Original Petition is disposed.

02.11.2022

Index: Yes/No
Internet: Yes/No
gsk



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R.N.MANJULA ,J.

gsk

To

- 1.The Superintendent of Police Coimbatore (Rural)
O/o.Superintendent of Police (Rural),
State Bank Road,
Coimbatore 641 018.
- 2.The Deputy Superintendent of Police,
O/o.District Deputy Superintendent of Police,
Coimbatore, Coimbatore District.
- 3.The Inspector of Police,
Sulur Police Station,
Sulur, Coimbatore District.
- 4.The Public Prosecutor,
High Court, Madras.

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