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Crl.O.P.No.29510 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

Crl.O.P.No.29510 of 2022

A.J.Andrews

... Petitioner

Vs.

1.The State rep by

The Deputy Commissioner of Police,
Adyar Division,
Chennai-600 020.

2.State rep. by

Inspector of Police,
R-6, Kumaran Nagar Police Station,
Chennai.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent to register a case based on the complaint of the petitioner dated 04.11.2022 in C.S.R.No.808 of 2022 and to investigate the case accordingly as per law.

For Petitioner : Mr.M.Velmurugan

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



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ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent to register a case based on the complaint of the petitioner dated 04.11.2022 in C.S.R.No.808 of 2022 and to investigate the case.

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

3. The learned counsel for the petitioner submitted that the petitioner is said to be the owner of the properties comprised in Survey Nos.15 and 16/1, Block No.64, Kodambakkam Village, Mambalam, Guindy Taluk, Chennai; one Amirtharaj along with others had made a false claim over the property belonging to the petitioner; in fact, the property in Survey No.17 is the only property belonging to the opposite parties; a civil suit has also been filed by the said Amirtharaj in O.S.No.12809 of 2010 and the same was dismissed; however, Amirtharaj along with their men disturbed the petitioner and his father's peaceful possession; hence, the petitioner had given a complaint against the said Amirtharaj and others on the allegation that they had abused him in filthy language, threatened him and also assaulted him; but no serious action has been taken by the respondent police so far on the complaint given



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by the petitioner. However, the respondent has taken action on the counter complaint given by Amirtharaj and others and harassed the petitioner. Hence, the petitioner has filed this petition to register a case on the complaint made by the petitioner on 04.11.2022.

4. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that the complaint given by the petitioner dated 04.11.2022 in C.S.R.No.808 of 2022 has been closed on 28.11.2022.

5. Under these circumstances, the petitioner is at liberty to invoke Sections 156(3) and 200 of Cr.P.C and initiate proceedings before the appropriate forum.

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

01.12.2022

Index: Yes/No

Speaking / Non Speaking Order

kmi

To

1. The Deputy Commissioner of Police,
Adyar Division, Chennai-600 020.

2. Inspector of Police,
R-6, Kumaran Nagar Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.

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