



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P. (MD)No.2393 of 2020

Sivasubramani

... Petitioner/Petitioner/
Defacto Complainant

Vs.

1.The District Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
District Crime Branch,
Dindigul District,
Crime No.32/2009.

... Respondent/Complainant

3.Velusamy

4.Xavier

5.Ravi

6.Antony

...Respondents/Accused 1 to 4

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to issue a direction to the second respondent to obey and enforce the order in Cr.M.P.No.6256 of 2014 dated 08.05.2017 on the file of the learned Judicial Magistrate No.II, Dindigul and consequently direct the 2nd respondent to confiscate the petitioner's constructions rental materials as well as recover the rental due amounts from the third to sixth respondents / Accused No:1 to 4 and to hand over the same before the learned Judicial Magistrate No.II, Dindigul, consequently, consign the same to the petitioner within a reasonable time.

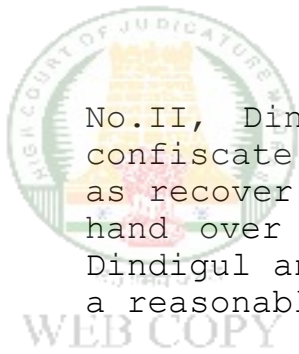
For Petitioner : Mr.P.Dhanasekaran

For R-1 and R-2 : Mr.B.Thanga Aravindh
Government Advocate(Crl. Side)

For R-3 : Mr.K.Baalasundharam

ORDER

This Criminal Original Petition has been filed to direct the second respondent to obey and enforce the order in Cr.M.P.No.6256 of 2014 dated 08.05.2017 on the file of the learned Judicial Magistrate



No.II, Dindigul and consequently direct the second respondent to confiscate the petitioner's constructions rental materials as well as recover the rental due amounts from the respondents 3 to 6 and to hand over the same before the learned Judicial Magistrate No.II, Dindigul and consequently, consign the same to the petitioner within a reasonable time.

2. On the protest petition filed by the petitioner in Cr.M.P. (MD).No.6256 of 2014, the learned Judicial Magistrate No.II, Dindigul passed an order, thereby, directing the second respondent herein to confiscate the remaining numbers of construction materials from the respondents 3 to 6 herein and produce the same before the learned Judicial Magistrate No.II, Dindigul and further, directed the second respondent to recover the entire due rents amount from 01.04.2009 till 08.05.2017 and deposit the same before the learned Judicial Magistrate No.II, Dindigul.

3. Though the said order was challenged by the third respondent herein in Crl.O.P.No.7077 of 2017, the same was closed as infructuous for the reason that the petitioner had sent a letter that no further investigation is necessary by the respondent police. Further, the respondents 3 to 6 have not settled their issues with the petitioner and however, the petitioner filed this petition to comply the order passed by the learned Judicial Magistrate No.II, Dindigul.

4. In view of the above, the second respondent is directed to comply with the order passed by the learned Judicial Magistrate No.II, Dindigul in in Cr.M.P.No.6256 of 2014 dated 08.05.2017 within a period of twelve (12) weeks from the date of receipt of a copy of this order, if not already complied with.

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

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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 Judicial Magistrate No.II, Dindigul.

2.The District Superintendent of Police,
Dindigul District.

3.The Inspector of Police,
District Crime Branch,
Dindigul District,

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.DHANASEKARAN, Advocate (SR-6271[F] dated
15/02/2022)

Crl.O.P. (MD)No.2393 of 2020
14.02.2022

RD(07.03.2022) 3P 6C