



WEB COPY



Crl.O.P.No.23521 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23521 of 2023

S.Sathyannarayanan

... Petitioner

Vs.

1.State represented by
Inspector of Police,
C-2, Race Course Police Station,
Coimbatore – 600 018.

2.Paramasivam

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records in Crime No.491 of 2022 on the file of the 1st respondent and quash the same.

For Petitioner	: Mr.P.G.Santhosh Kumar
For R1	: Mr.S.Udaya Kumar
	Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition is filed to quash the FIR in Crime No.491 of 2022 on the file of the 1st respondent police.



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2. The learned Government Advocate (Crl.Side) appearing for the State submits that in view of the dispute between the neighbours regarding the use of 45 cents of land, the complaint has been given by one Paramasivam and same is under investigation.

3. The learned counsel appearing for the petitioner submits that the petitioner is the owner of the property and has been unauthorisedly occupied by the defacto complainant.

4. The fact of the rival submission has to be looked into by the Investigating Officer and he has to take appropriate decision based on the document. The Court cannot interfere by exercising power under Section 482 Cr.P.C.. Hence this Criminal Original Petition is disposed of directing the petitioner to cooperate with the investigation and produce the documents available with him. If there is purely a civil dispute, the Investigating Officer shall record the same and dispose of the complaint in accordance with law.

31.10.2023

Index : Yes/No
rpl



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To

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- 1.The Inspector of Police,
C-2, Race Course Police Station,
Coimbatore – 600 018.
- 2.The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

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