



Crl.O.P.(MD)No.994 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.01.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.994 of 2023

Kaliraj

... Petitioner

Vs.

1.The Deputy Inspector General of Police,
Tirunelveli,
Tirunelveli District.

2.The Superintendent of Police,
Korampallam,
Thoothukudi.

3.The Deputy Superintendent of Police,
Vilathikulam,
Thoothukudi District.

4.The Inspector of Police,
Ettayapuram Police Station,
Thoothukudi District.

5.The Sub Inspector of Police,
Anti-Land Grapping Special Cell,
Thoothukudi.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent herein to transfer



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the investigation by deputing a competent officer to take up the investigation to the petitioner's complaint dated 28.10.2022 from the file of the fourth respondent and investigate the same under the supervision of the third respondent and procedure as per law.

For Petitioner : Mr.M.M.Manivelpandian

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the first respondent to transfer the investigation by deputing a competent officer to take up the investigation to the petitioner's complaint dated 28.10.2022 from the file of the fourth respondent and investigate the same under the supervision of the third respondent.

2. The learned Additional Public Prosecutor appearing for the respondents would submit that the petitioner has lodged a complaint stating that the L & T Company persons were laying HT power line over the petitioner's land and after enquiry, the same was ordered to be closed.



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3. The main contention of the petitioner is that no permission was taken from the petitioner or from his father for laying HT power line over their land.

4. The learned Additional Public Prosecutor would fairly admit that no permission was taken from the petitioner or from the petitioner's father.

5. Considering the above, the very closure of the complaint without conducting any proper enquiry is not in accordance with law and the same is liable to be set aside. Hence, the third respondent is directed to conduct fresh enquiry, taking note of the contentions raised by the petitioner, and pass orders.

6. With the above direction, this Criminal Original Petition stands disposed of.

19.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

csn

To

- 1.The Deputy Inspector General of Police,
Tirunelveli,
Tirunelveli District.
- 2.The Superintendent of Police,
Korampallam,
Thoothukudi.
- 3.The Deputy Superintendent of Police,
Vilathikulam,
Thoothukudi District.
- 4.The Inspector of Police,
Ettayapuram Police Station,
Thoothukudi District.
- 5.The Sub Inspector of Police,
Anti-Land Grapping Special Cell,
Thoothukudi.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.994 of 2023

Dated: 19.01.2023