



CrI.O.P.(MD)No.5049 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.03.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.5049 of 2023

C.Jegajothimani

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Anti- Land Grabbing Special Cell,
Dindigul District.

2.The Inspector of Police,
Anti -Land Grabbing Special Cell,
Dindigul District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to issue a direction to transfer the investigation from the 2nd respondent police to the 1st respondent police and consequently direct the 1st respondent police to conduct proper investigation in an expeditious manner.



WEB COPY



CrI.O.P.(MD)No.5049 of 2023

For Petitioner : Mr. Kishore Kumar.V
For Respondents : Mr.B.Nambiselvan,
Additional Public Prosecutor

ORDER

This petition is filed seeking direction to transfer the investigation from the 2nd respondent police to the 1st respondent police and consequently direct the 1st respondent police to conduct proper investigation in an expeditious manner.

2. When the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent police submitted that based upon the complaint given by the petitioner, enquiry was undertaken. During the course of enquiry, it was found that in respect of the very same cause of action suit in O.S.No.14 of 2023 is pending before the Sub-Court, Dindigul. On that basis, the complaint was closed and the closure report was also served to the petitioner to workout his remedy through the appropriate proceedings.

3. The learned counsel for the petitioner submitted that the suits are filed in the year 2010 and 2013. After filing the present complaint,



Crl.O.P.(MD)No.5049 of 2023

only the suit in O.S.No.14 of 2023 has been filed by the accused. He further submitted that pendency of the suit will not affect the criminal prosecution.

4. Since the complaint was already closed and the closure report was also served to the petitioner to workout his remedy through the appropriate proceedings, nothing survives for further adjudication and hence, this Criminal Original Petition stands dismissed as infructuous, of course he is liberty to workout his remedy through the appropriate proceedings.

17.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
tta

To

1.The Deputy Superintendent of Police,
Anti- Land Grabbing Special Cell,
Dindigul District.

2.The Inspector of Police,
Anti -Land Grabbing Special Cell,
Dindigul District.

3/5



CrI.O.P.(MD)No.5049 of 2023

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

G.ILANGO VAN,J

tta

Order made in
CrI.O.P.(MD)No.5049 of 2023



WEB COPY



CrI.O.P.(MD)No.5049 of 2023

Dated : 17.03.2023