



*Crl.O.P.(MD)No.6675 of 2023*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.04.2023

CORAM

**THE HON'BLE MR.JUSTICE G.ILANGO VAN**

**Crl.O.P.(MD)No.6675 of 2023**

A.Velmurugan

...Petitioner

Vs.

1.The State rep. by  
The Inspector of Police,  
DCB (ALGSC),  
Thoothukudi.

2.Lingam  
3.Thangapandian  
4.Soundarapandian  
5.Maheshkumar  
6.Raja  
7.Prakash  
8.Muthu  
9.Ramanathan  
10.Muniasamy  
11.Samuel Kingsley

.... Respondents

**PRAYER:** This Criminal original Petition is filed under Section 482 Cr.P.C., to call for the records pertaining to the order, dated 11.01.2023 made in Crl.M.P.No.915 of 2022 passed by the learned Special Court for



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*Crl.O.P.(MD)No.6675 of 2023*

Land Grabbing Cases, Thoothukudi and to set aside the same.

For Petitioner : Mr.A. Robinson

For Respondent No.1 : Mr.B.Nambiselvan  
Additional Public Prosecutor

### **ORDER**

This Criminal Original Petition has been filed to call for the records pertaining to the order, dated 11.01.2023 made in Crl.M.P.No. 915 of 2022 passed by the learned Special Court for Land Grabbing Cases, Thoothukudi and to set aside the same.

2. The grievance of the petitioner is that he has filed Crl.M.P.No.915 of 2022 seeking direction to the respondent herein to enquire or investigate the matter and that was also ordered by the trial Court. Based on the direction, the respondent herein has conducted the enquiry and during the course of enquiry, it is found that with regard to the above said issue suit is pending between the parties. Since the title is involved in the above said suit, closure report was filed stating that it is purely civil issue. The above said report was accepted by the trial Court and objection was closed.



*Crl.O.P.(MD)No.6675 of 2023*

3. The grievance of the petitioner is that without even referring the facts and circumstances and considering the report in proper manner the trial Court has passed the above said impugned order without application of mind.

4. Perusal of the impugned order also does not indicate the reasons for accepting the above said closure report. So the matter is remitted back to the trial Court and trial Court is directed to restore the above said Crl.M.P.No.915 of 2022 and give an opportunity to the petitioner to putforth his objections and thereafter, pass reasoned orders in accordance with law.

5. With the above direction, this Criminal Original Petition is disposed of.

**12.04.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
trp



*Crl.O.P.(MD)No.6675 of 2023*

To

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1. The Inspector of Police,  
DCB (ALGSC),  
Thoothukudi.
2. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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*Crl.O.P.(MD)No.6675 of 2023*

**G.ILANGOVAN,J**

trp

Order made in  
**CrI.O.P.(MD)No.6675 of 2023**

Dated :12.04.2023