



CrI.O.P.(MD)No.6202 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **03.04.2023**

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THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.6202 of 2023

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...Petitioner

Vs.

1.The Additional Director General of Police,
CBCID,
SIDCO Electronics Complex,
1st Floor,
Kinndy,
Chennai-600 032.

2.The Superintendent of Police,
O/o.Superintendent of Police,
Thoothukudi,
Thoothukudi District.

3.The Inspector,
O/o.Anti Land Grabbing Special Cell,
Campus of SP Office,
Thoothukudi,
Thoothukudi District.

4.The Sub Inspector of Police,
Meignanapuram Police Station,
Thoothukudi District.

...Respondents/Complainants



CrI.O.P.(MD)No.6202 of 2023

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to withdraw the petitioner's complaint dated 08.06.2022 on the file of the third respondent and entrust the same to the first respondent or to some other investigation agency to nominate an officer not below the rank of DSP based on the petitioner's representation dated 10.12.2022 for further investigation of the case.

For Petitioner : Mr.V.Rajiv Rufus
For Respondents : Mr.B.Nambiselvan,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., to withdraw the petitioner's complaint dated 08.06.2022 on the file of the third respondent and entrust the same to the first respondent or to some other investigation agency to nominate an officer not below the rank of DSP based on the petitioner's representation dated 10.12.2022 for further investigation of the case.

2. The learned counsel for the petitioner submitted that after the demise of the petitioner's father, the petitioner and his siblings had entered into a family partition. The petitioner's brother, namely, Ezra Rajamani had created a forged document, as if he is the sole owner and



CrI.O.P.(MD)No.6202 of 2023

he has also executed a General Power of attorney in favour of some other person. Over which, the petitioner lodged a complaint on 08.06.2022 before the third respondent police and the same was not considered so far. Hence, this petition has been filed.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that based upon the complaint given by the petitioner, enquiry was undertaken by the third respondent police. During the course of enquiry, it was found that it is dispute with regard to title over the suit property between the family members and the complaint was given in a exaggerated manner, on that basis, the complaint itself was closed.

4. The learned counsel for the petitioner submitted that the closure report was not served to the petitioner so far.

5. Recording the submission made by the learned Additional Public Prosecutor, nothing survives for further adjudication and hence, this Criminal Original Petition stands dismissed as infructuous. The



CrI.O.P.(MD)No.6202 of 2023

respondent police is directed to serve the closure report to the petitioner and he is at liberty to work out his remedy through appropriate proceedings.

03.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Additional Director General of Police,
CBCID,
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1st Floor,
Kinndy,
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- 2.The Superintendent of Police,
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Thoothukudi,
Thoothukudi District.
- 3.The Inspector,
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Thoothukudi District.
- 4.The Sub Inspector of Police,
Meignanapuram Police Station,
Thoothukudi District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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CrI.O.P.(MD)No.6202 of 2023

G.ILANGO VAN,J

tta

Order made in
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