



Crl.O.P.(MD)No.11133 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.07.2023**

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD)No.11133 of 2023

Muthuprakash

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Suthamalli Police Station,
Tirunelveli.

3.Devendiran

4. Rajamani @ Thavsi Thevar

5.Puli Kutti Kovindhan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to comply with the order passed by the District Munsif cum Judicial Magistrate, Cheranmahadevi, dated 17.10.2022 preferred by the petitioner in Crl.M.P.No.4331 of 2022 and consequently, register the F.I.R against the respondents 3 to 6.



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For Petitioner : Mr.M.Sankar

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the second respondent to comply with the order passed by the learned District Munsif cum Judicial Magistrate, Cheranmahadevi, dated 17.10.2022.

2. It is submitted by the learned counsel appearing for the petitioner that in respect of a dispute between the petitioner and the respondents 3 to 5, the petitioner has filed a complaint before the learned District Munsif cum Judicial Magistrate, Cheranmahadevi, who in turn, referred the matter to the Police to make preliminary enquiry on the allegation of the complaint and register the case, if the cognizable offence is made out during such enquiry.

3. It is submitted by the learned Additional Public Prosecutor appearing for the respondents that as per the directions of the trial Court, the Police initiated the enquiry and since there is an allegation of



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ownership by both the petitioner and the unofficial respondents, the land was surveyed and a report has been filed before the trial Court on 17.04.2023.

4. Since it is a civil dispute between the parties and the report which is required to be filed before the trial Court has already been filed by the prosecution on 17.04.2023 itself, this Criminal Original Petition has become infructuous. Accordingly, this Criminal Original Petition is dismissed.

07.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
ssb



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To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Suthamalli Police Station,
Tirunelveli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN,J

ssb

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