



Crl.O.P.No.26319 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 19.11.2024**

**CORAM**

**THE HON'BLE MR. JUSTICE P.VELMURUGAN**

**Crl.O.P.No.26319 of 2024**

**and**

**Crl.M.P.No.14612 of 2024**

P.Murugasean

... Petitioner

Vs.

1. The State of Tamil Nadu,  
Represented by  
The Inspector of Police,  
Devattipatti Police Station,  
Salem District.

2. The Tahsildar,  
K.Mageshwari,  
Kadayampatti Taluk,  
Salem District.

... Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the F.I.R in Crime No.448 of 2019 on the file of the respondent and quash the same.

For Petitioner : Mr.Charlee Kamalesh M.Appaji

For R1 : Mr.S.Sugendran,  
Additional Public Prosecutor



CrI.O.P.No.26319 of 2024

WEB COPY

## **ORDER**

This Criminal Original Petition has been filed to call for the records pertaining to the case in Crime No.448 of 2019 on the file of the respondent police and quash the same.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent/Police and perused the materials available on record.

3. Learned counsel for the petitioner submitted that based on the second respondent's complaint, the first respondent police registered a case as against the petitioner in Crime No.448 of 2019. The allegation made against the petitioner is that the petitioner encroached the government poromboke land and he removed the boundary stones without the consent of the Revenue Officials. He further submitted that the petitioner was in possession and occupation of the property along with the Government poromboke land since the date of settlement. Further, there is no cremation ground is available in the said poromboke



CrI.O.P.No.26319 of 2024

land as stated by the complainant.

4. Learned Additional Public Prosecutor submitted that based on the complaint given by Tasildar, Kadyampatty Taluk, Salem District, a case was registered as against the petitioner for the offence under Section 447 of IPC and 3(1) of TNPPDL Act.

5. On a perusal of the record, it is seen that the petitioner obtained decree in O.S.No.190 of 2015 on the file of the District Munsif Court, Omalur, whereas, the Government is not a party in the said suit. Hence, the decree obtained by the petitioner in the abovesaid suit is nothing to do with the present complaint.

6. It is submitted by the learned Additional Public Prosecutor that investigation has already been completed and charge sheet is being made ready for filing before the jurisdictional magistrate. Since the complaint is of the year 2019, the respondent police is directed to complete the investigation and file a charge sheet as expeditiously as possible.



CrI.O.P.No.26319 of 2024

WEB COPY

7. In view of same, the Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petition is closed.

**19.11.2024**

*mfa*

*Index: Yes/No*

*Speaking Order: Yes/No*

*Neutral Citation: Yes/No*

To

The Inspector of Police,  
Devattipatti Police Station,  
Salem District.



WEB COPY



Crl.O.P.No.26319 of 2024

**P.VELMURUGAN, J.**

*mfa*

**Crl.O.P.No.26319 of 2024**  
**and**  
**Crl.M.P.No.14612 of 2024**

**19.11.2024**