



CrI.O.P.(MD)No.11689 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.(MD)No.11689 of 2022

and

CrI.M.P.(MD)No.14566 of 2022

M.Ahamed Masthan

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.

2.The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.

... Respondents

PRAYER:- Petition filed under Section 482 of Cr.P.C., to direct the first respondent to withdraw the petitioner's complaint dated 28.09.2021 pending before the second respondent and entrust the same to any other officer not below the rank of Deputy Superintendent of Police for investigation based on the representation dated 15.02.2022 and 29.03.2022.

For Petitioner : Mr.D.Senthil

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed to direct the first respondent to withdraw the petitioner's complaint dated 28.09.2021 pending before the second respondent and entrust the same to any other officer not below the rank of Deputy Superintendent of Police for investigation based on the representation dated 15.02.2022 and 29.03.2022.

2.The case of the petitioner is that the petitioner's brothers trespassed into the petitioner's house and took the valuable properties and the same was utilized by the partition suit. Thereby, the petitioner made a complainant before the respondent police and the same was not taken on file till date. Hence, the petitioner has filed the present petition with the above said prayer.

3.The learned Additional Public Prosecutor appearing for the respondents would submit that the petitioner's complaint was closed as it is in civil nature.

4.At this juncture, the learned counsel for the petitioner would submit that this Court may grant liberty to the petitioner to workout his remedy in the manner known to law.



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5.In view of the same, this Criminal Original Petition is disposed of with liberty to the petitioner to workout his remedy in the manner known to law. Consequently, connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
Sji

07.02.2024

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Ramanathapuram.
- 2.The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

Sji

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