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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2025

CORAM:

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI
Crl.R.C.No.2045 of 2025

Mr.P. Jinesh

... Petitioner

Vs.

1. The Inspector of Police,
Central Crime Branch
Anti Land Grabbing Cell
Office of Chennai Police
Commissioner, Vepery
Chennai 600 054

2. Deputy Commissioner of Police,
Central Crime Branch
Anti Land Grabbing Cell
Office of Chennai Police
Commissioner, Vepery
Chennai 600 054

2. Mr.S. Santhakumar

... Respondents

PRAYER : This petition is filed to call for the records and set aside the order dated 04.08.2025 passed in Crl.M.P.No.11087 of 2025 on the file of the Hon'ble Metropolitan Magistrate, CCB & CBCID, Egmore, Chennai and pass orders.

For Appellant : Mr.Rahul JAgnathan
For Respondent : Dr.C.E. Pratap,
Government Advocate



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ORDER

The Petition is filed to call for the records and set aside the order dated 04.08.2025 passed in CrI.M.P.No.11087 of 2025 on the file of the Metropolitan Magistrate, CCB & CBCID, Egmore, Chennai and pass orders.

2. The facts of the case is that the petitioner is the owner of the subject property and he has not entered into oral or written tenancy agreement with the accused and has neither agreed to sell the property to the accused. When this being the case the accused has taken possession of the vacant land has also put up a tent on the complainants' vacant land without obtaining any sanctioned approval from any competent authority and without the complainants approval. Hence, the petitioner made a complainant and the same was taken on file in CrI.M.P.No.11087 of 2025 on the file of the Metropolitan Magistrate, CCB & CBCID, Egmore, Chennai who dismissed the same on 04.08.2025. Challenging the same the petitioner has file the present criminal revision case.



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3. The learned counsel for the petitioner submitted that even though the accused has fraudulently entered the premises of the de-facto complainant; no prima facie case would be made out and the de-facto complainant only has a civil remedy. The said finding of the trial Court appears suffers from complete non-application of mind.

4. *Per contra* the learned Government Advocate appearing for the respondent submitted that the order passed by the learned Judge is perfectly valid in the eye of law and the same does not require interference by this Court and prays to dismiss this petition.

5. Heard both sides and perused the materials available on record.

6. On a perusal of records, it is seen that there was a civil dispute between the parties and the accused had fraudulently taken possession of the vacant land. It is also pertinent to note that when the petitioner approached the accused to vacate the premises the accused along with rowdy elements had threatened the complainant of dire consequences that he should return to the property, which gives the criminal colour to the



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said issue. Hence, there is no legal impediment for the respondent police to register the case.

7. In view of the above facts, the impugned order passed by the Court below in CrI.M.P.No.11087 of 2025 on the file of the Metropolitan Magistrate, CCB & CBCID, Egmore, Chennai needs interference and the same is hereby set aside. The petitioner is directed to approach the respondent police for register the complainant, within a period of four weeks from the date of receipt of a copy of this Order. On such complaint being made the police is directed to enquire about the complaint and proceed with the matter in the manner know to law.

8. With the above observations this Criminal Revision case stands allowed.

17.10.2025

Index:Yes/No
Speaking/non Speaking order
Neutral Case citation: yes/no
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To
The Inspector of Police,
Central Crime Branch
Anti Land Grabbing Cell
Office of Chennai Police
Commissioner, Vepery
Chennai 600 054

2.The Metropolitan Magistrate, CCB & CBCID, Egmore, Chennai

3. The Public Prosecutor, High Court, Madras



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T.V.THAMILSELVI, J.

smn

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