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Crl.O.P.No. 13574 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.13574 of 2023

1.K.B.Rajendran
2.K.Dhanalakshmi
3.K.Vasantha
4.K.Devi
5.K.Pushpalatha

... Petitioners-in-person

Vs.

1.The Additional Director General of Police,
Idol Wing, Guindy, Chennai 600 032.
2.The Police Commissioner, (Land Grabbing Wing)
Office of Commissioner of Police,
Vepery, Chennai 600 007.
3.The Sub-Inspector of Police,
C-1 Flower Bazaar Police Station, Chennai 600 003.
4.The Deputy Inspector-General of Police,
CBCID Department, Egmore, Chennai 600 008.
5.The Inspector of Police,
C-1, Flower Bazaar Police Station, Chennai 600 003.

6.The Superintendent of Police,
North Zone -CBCID, Chennai.

... Respondents



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PRAYER: Criminal Original Petition is filed under Section 482 of the Cr.P.C, to direct the second respondent to comply the order dated 10.03.2021 made in Crl.M.P.No.32 of 2021 passed by the learned Special Metropolitan Magistrate, in the Court of the Special Court for Exclusive Trial of Land Grabbing Cases No.II, Egmore at Allikulam.

For Petitioner-in-person : Mr.K.B.Rajendran

For Respondents : Mr.R,Vinothraja,
Government Advocate.

ORDER

This Criminal Original Petition has been filed to direct the second respondent to comply the order dated 10.03.2021 made in Crl.M.P.No.32 of 2021 passed by the learned Special Metropolitan Magistrate, in the Court of the Special Court for Exclusive Trial of Land Grabbing Cases No.II, Egmore at Allikulam.

2. The learned counsel for the petitioner submitted that the petitioner lodged a complaint with the second respondent police, alleging various offenses committed by the accused persons in relation to the illegal grabbing of the petitioner's property. However, despite the



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complaint, the second respondent failed to register a case against the accused. Consequently, the petitioner filed a petition in Crl.M.P. No. 32 of 2021 under Section 156 of the Cr.P.C. before the Special Court for Exclusive Trial of Land Grabbing Cases No. II, Egmore at Allikulam. The learned Magistrate, by an order dated 10.03.2021, directed the second respondent to appoint an Investigation Officer for the complaint dated 16.12.2020 lodged by the petitioner and instructed the Investigation Officer to conduct an inquiry into the complaint as promptly as possible. That apart, the learned Magistrate directed that, if the Investigation Officer finds a prima facie case, the case should be registered, and investigation should proceed accordingly. Despite receiving this direction, the second respondent has not registered the case nor proceeded with the investigation. Therefore, the petitioner prays for the relief sought in the petition.

3. The learned Government Advocate would submit after the direction issued by the learned Magistrate, the complaint is pending for investigation.



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4. Heard the learned counsel appearing on either side and perused the materials placed on record.

5. Considering the above facts and circumstances, this Court directs the fifth respondent, who is the Jurisdictional Officer, to register a case against the accused persons, as directed by the Special Court for Exclusive Trial of Land Grabbing Cases No. II, Egmore at Allikulam, in Crl.M.P. No. 32 of 2021, by an order dated 10.03.2021, within a period of two weeks from the date of receipt of a copy of this order. The fifth respondent is further directed to proceed with the investigation in accordance with the law.

6. With the above direction, this Criminal Original Petition is allowed.

03.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
shk



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- 6.The Superintendent of Police,
North Zone -CBCID, Chennai.
7. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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