

CrI.O.P.(MD)No.10563 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.06.2025

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.10563 of 2025

K.Mahendran

... Petitioner

versus

1. The State of Tamilnadu,
Rep. by the Director General of Police,
Chennai.
2. The Superintendent of Police,
Dindigul District.
3. The Deputy Superintendent of Police,
Anti-Land Grabbing Wing,
Dindigul District.
4. The Inspector of Police,
District Crime Branch,
Dindigul.
5. Karuppu Rajan
6. Kavitha
7. Chellamuthu
8. Subramani



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9. The Sub Registrar,
Kallimanthayam Sub Registration Office,
Oddanchatram Taluk,
Dindigul District.

... Respondents

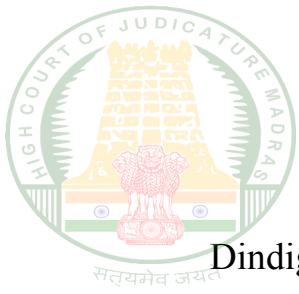
Prayer : Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the 1st to 3rd respondents to direct the 4th respondent to re-open the case in Crime No.1 of 2015 and investigate the same and to file a final report before the Court concerned within a time stipulated by this Court.

For Petitioner	: Mr.C.Ezhilarasu
For R1 to R4	: Mr.P.Kottaichamy, Government Advocate (Crl. Side)
For R7	: Mr.V.Gowtham
For R9	: Mr.F.Deepak, Special Government Pleader

ORDER

The petitioner, who is the defacto complainant in Crime No.1 of 2015, has moved this petition seeking a relief of re-investigation.

2. The learned counsel appearing for the petitioner submits that the petitioner has lodged a complaint as against one Nallappagounder and six others that they have created a forged document of his property. Based on his complaint, a case was registered by the District Crime Branch,



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Dindigul, in Cr.No.1 of 2015 for the offences under Sections 120B, 465 and 468 of IPC. Though the case was registered in the year 2015, they have not filed any final report. When the petitioner verified the same, he came to know that the case was closed as civil in nature.

3. The learned Government Advocate (Crl. Side) submits that the petitioner has lodged a complaint as against his brother that he has created a forged document. Therefore, a case was registered on 26.01.2015 in Crime No.1 of 2015 for the offences under Sections 120B, 465 and 468 IPC. The police have conducted the investigation and found that it is purely a civil dispute. Therefore, they have closed the complaint as civil in nature and they have also filed the final report before the Special Court, Madurai.

4. When this Court verified with regard to the RCS notice, the learned Government Advocate (Crl. Side) expressed his difficulty in verifying the RCS notice which was served in the year 2015.



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5. The learned counsel for the petitioner, by referring to the proceedings of the District Registrar, Dindigul, dated 11.12.2014, submits that the District Registrar, who conducted an enquiry, found that the document created is a forged one. However, the respondent Police has closed the case as civil dispute.

6. This Court considered the rival submissions made.

7. The petitioner has lodged the complaint in the month of January 2015. The respondent Police claims that they have closed the case in the year 2015 itself. Though the respondent Police are not in a position to produce RCS notice, this Court is not in a position to find fault with the respondent Police for not producing the RCS notice after ten years. The petitioner, who lodged the complaint in the year 2015, did not follow up the case for the past 10 years and he woke up in the year 2025 and filed this writ petition before this Court. Therefore, this Court is not inclined to grant any relief.



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8. Accordingly, this Criminal Original Petition is dismissed with

liberty to the petitioner to file a private complaint before the concerned Court and establish his case. In the event, if any complaint is filed, the Court shall independently find out as to whether there is any material as against the accused and take a call on the complaint, if any cognizable offence is made out in the complaint.

24.06.2025

Index : Yes / No.

Internet : Yes / No.

NCC : Yes / No.

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To

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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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