

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.25215 of 2015

M.Arumugham

... Petitioner

Vs

1. The Deputy Commissioner of Police,
Nungambakkam Range,
Chennai - 34.

2. The Inspector of Police,
F-3, Nungambakkam Police Station,
Chennai - 600 034.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to take proper action against the complaint preferred by the petitioner on 01.07.2015 before the 1st respondent and the same has been forwarded to the 2nd respondent.

For Petitioner : Mr. G.Ashok Kumar

For respondents : Mr.C.Emalias,
Addl.Public Prosecutor

O R D E R

The present petition has been filed to direct the respondent to take proper action against the complaint preferred by the petitioner on 01.07.2015 before the 1st respondent and the same has been forwarded to the 2nd respondent.

2. The case of the petitioner is that he is maintaining horse as pet animal for the past four generation and on 4.3.2015, one Mahendra Kumar and five others quarrelled with him and took away his 2 years old horse. Subsequently, he came to know that the horse was handed over to the respondent police and a case was registered in Crime No.315/2014 for the offence under PC Act 1960, 11 of A.F.H.T., against him stating that the petitioner was troubling the neighbours with horse and a final report was also filed in C.C.No.1949/2014 and the petitioner was implicated as an accused in the said case and the learned XIV Metropolitan Magistrate has imposed a fine of

Rs.50/- . Though he has not committed any offences, the petitioner paid a sum of Rs.50/- and the case was concluded. The petitioner was informed that his horse was handed over to Blue Cross at Velachery by the respondent police. Hence, the petitioner went to blue Cross on 24.06.2015 and showed the order copy in the above said case but Mr.John Williams, the Manager of Blue Cross, refused to hand over the horse to him. Hence, the petitioner lodged a complaint with the respondent police on 01.07.2015. Since no action was taken, he has come forward with the present complaint.

3. Heard, learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. Learned Additional Public Prosecutor submitted that the allegation made in the complaint do not constitute cognizable offence. Hence, he opposed the prayer sought for the petitioner.

5. Considering the submissions made on either side and the entire allegations made in the complaint, I am of the opinion that no cognizable offence is made out by the petitioner. Therefore, I am not inclined to entertain this petition. Hence, the criminal original petition is dismissed.

vsi

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Deputy Commissioner of Police,
Nungambakkam Range,
Chennai - 34.

2. The Inspector of Police,
F-3, Nungambakkam Police Station,
Chennai - 600 034.

3. The Public Prosecutor,
High Court, Madras.

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