

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.25414 of 2015

K.K.Ramesh

.. Petitioner

Vs

State Rep.by

The Inspector of Police,
C-4, Police Station,
Rajiv Gandhi Govt.General Hospital,
Chennai - 600 003.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Inspector of Police, C-4, Police Station, Chennai -3, Rajiv Gandhi Government General Hospital, to register the complaint dated 24.08.2015, (both directly in person on the scene of occurrence and by post also) investigate and to proceed against the said person in accordance with law and file his final report before the jurisdictional magistrate.

For Petitioner : Mr.A.L.Namasivayam

For respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent to register the complaint dated 24.08.2015, (both directly in person on the scene of occurrence and by post also) investigate and to proceed against the said person in accordance with law and file his final report before the jurisdictional magistrate.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. It is seen that one Idayakala has instituted matrimonial proceedings in H.M.O.P.No.1524 of 2012 against this petitioner and in those proceedings, there appears to be an order for DNA profiling. It is alleged by the petitioner that when he went to the hospital for DNA profiling, he was insulted by Idayakala. Further, it is seen that Idayakala has also lodged a complaint against this petitioner. Admittedly, this petitioner has given his blood sample and the DNA report is awaited.

4. Under such circumstances, this Court is of the view that this is not a fit case to issue a direction to the respondent police to register a case on the compliant given by the petitioner, as that will precipitate the matter further and will affect the matrimonial proceedings.

In view of the above, the criminal original petition is closed with liberty to the petitioner to work out his remedy in the manner known to law.
sms

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
C-4, Police Station,
Rajiv Gandhi Govt.General Hospital,
Chennai - 600 003.
 2. The Public Prosecutor
High Court, Madras.
- + 1 cc to Mr.K.K.Ramesh, Advocate SR 56865

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सत्यमेव जयते

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