

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.25785 of 2015

N.Venkudusamy

... Petitioner

Vs

State represented by,
Inspector of Police,
Omalar Police Station,
Omalar, Salem District

.... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register FIR against the named persons on the basis of the complaint lodged by the petitioner on 15.09.2015.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the respondent to register F.I.R. based on the complaint lodged by the petitioner on 15.09.2015.

2. The petitioner herein is a driver by avocation. Presently he is working as a driver under one V.Ramalingam and driving the vehicle Multi Axel Goods bearing registration No.TN-29-L-3875 for the past seven years. One Washington, S/o. Dharmaraj, was also working as a driver of the said vehicle and the said vehicle is having National Permit and on 08.09.2015, the said lorry was engaged by Excel Crop Core Limited, C/o.Nandhini Farm Services Ltd., Gujarat State for transporting pesticides and its dealer at Nandhini Farm Service, Ariyamangalam, Trichy District. When the petitioner and the above said associate driver were coming from Gujarat, on en-route at Poosaripatty at 8.00 a.m., the petitioner parked the vehicle for the purpose of taking tiffin and he found that the Tarpaulin was torn and when he verified, the pesticide boxes

were missing. Immediately the petitioner lodged a complaint before the respondent police on 15.09.2015. But no action was taken till date. Hence, the present criminal original petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

4. The learned Additional Government Pleader submitted that the complaint was sent only by post and if a direction is given to the petitioner to give a fresh complaint, necessary action will be taken.

5. In view of the submissions made on either side, this Court directs the petitioner to give a fresh complaint to the respondent, within a period of one week from the date of receipt of a copy of this order, and on receipt of the same, the respondent is directed to conduct enquiry and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. Inspector of Police,
Omalur Police Station,
Omalur, Salem District

2. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.C.Prakasam, Advocat sr.60682

Cr1.O.P.No.25785 of 2015

aa06/11/205