

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.26021 of 2015

Madesh

.. Petitioner

..vs..

The State Rep. By

1. The Superintendent of Police
Dharmapuri District
Dharmapuri-5
2. The Inspector of Police
Karimangalam Police Station
Dharmapuri District

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent to register a case based on the petitioner's complaint dated 19.09.2015 in connection with C.S.R.No.386 of 2015 and also subsequent complaint to the first respondent dated 24.09.2015 and investigate the same in accordance with law.

For Petitioner : Mr.K.Gandhi Kumar

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The present petition has been filed to direct the second respondent to register a case based on the complaints given by the petitioner dated 19.09.2015 and 24.09.2015.

2. The petitioner herein married one Chitra, D/o. Madhu 8 years back and on 17.09.2015, at about 07.30 pm, some phone call came to his wife and immediately she left the house, but she did not return back till midnight. On 18.09.2015, at about 06.30 am, the petitioner heard the news that his wife died by hanging. When the petitioner went to see his wife, he found some injuries on her mouth, right hand, thigh and other external injuries on the body. The petitioner suspected the person who called his wife over phone and made a complaint to the second respondent. But, the second respondent kept the petitioner inside the room and slapped him and also coerced him to give a confession as if he committed the murder. The petitioner submits that due to the brutal attack, the petitioner become unconscious and was admitted in the Government Hospital, Dharmapuri and only on the

basis of the complaint given by him in the hospital, C.S.R.No.386 of 2015 has been given. Since no action was taken on the complaint given by the petitioner, the petitioner gave another complaint on 24.09.2015. However, no action was taken on the complaints given by the petitioner. Hence, the petitioner came forward to file this petition.

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

4. Taking into consideration the rival submissions and also the fact that there are allegations made against the second respondent, this Court directs the Assistant Superintendent of Police, Dharmapuri District to conduct enquiry on both the complaints and if materials are gathered indicating commission of any cognizable offence, the Assistant Superintendent of Police is directed to proceed further in accordance with law, as early as possible.

5. This criminal original petition is disposed of accordingly.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

gpa
To

1. The Superintendent of Police
Dharmapuri District
Dharmapuri-5

2. The Assistant Superintendent of Police
Dharmapuri District
Dharmapuri

3. The Inspector of Police
Karimangalam Police Station
Dharmapuri District

4. The Public Prosecutor
Madras High Court
Chennai

+1 cc to Mr.K.Gandhikumar, Advocate, sr.61029

ca co, kra 26.11.2015

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