

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

CrI.O.P.No.26178 of 2015

1.G.Kumar
2.K.Kavitha

... Petitioners

Vs.

1. State Rep By its:
The Commissioner of Police
Chennai Metropolitan City,
Vepery, Chennai.

2. State Rep By its
Inspector of Police (L & O)
M-3, Puzhal Police Station,
Puzhal, Chennai - 600 066.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent police, M-3, Puzhal Police Station, to register a F.I.R. against the complaint dated 03.08.2015 made by the 2nd petitioner to the 1st respondent in C.No.2235 of 2015.

For Petitioners : Mr.S.Michael

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

ORDER

This petition is filed for a direction to the respondent to register a F.I.R. against the complaint dated 03.08.2015 made by the second petitioner to the first respondent in C.No.2235 of 2015.

2.The petitioners lodged a complaint as against one Sooriya Narayanan stating that the said person along with Goondas had hurled the petrol bomb on the petitioner's house with the intension to kill the petitioners and their family members. It is further stated that the same has been recorded in the Surveillance Camera and hence, the petitioners lodged a complaint. Though the complaint has been assigned C.No.2235 of 2015, till date no action has been taken. Hence, this petition.

3.The learned Additional Public Prosecutor would submit that the complaint lodged by the petitioner was registered in Crime No.1501 of 2015 on 04.08.2015 by the M3 Puzhal Police Station for the offence punishable under Sections 448, 294(b), 511 and 506(ii) IPC on 04.08.2015.

4.The learned counsel appearing for the petitioners replied that the said FIR was registered in respect of the occurrence that took place on 01.08.2015 and the same Sooriya Narayanan along with Goondas had again entered into the house of the petitioners and hurled the petrol bomb on the petitioner's house with the intension to kill the petitioners and their family members, and hence they again lodged a complaint on 03.08.2015 and the second complaint was not registered.

5.I have heard the learned counsel appearing for the petitioners as well as the learned Additional Public Prosecutor.

6.In view of the submissions made by the learned Additional Public Prosecutor, this Court directs the petitioners to give a fresh complaint along with a copy of this order to the second respondent within a period of one week from the date of receipt of a copy of this order and the second respondent on receipt of the same is directed to conduct enquiry on the same and upon enquiry, if materials are gathered indicating commission of any cognizable offence, is directed to proceed further in accordance with law, as early as possible.

7.With the above directions, the Criminal Original Petition is disposed of.

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s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Commissioner of Police
Chennai Metropolitan City,
Vepery, Chennai.
2. The Inspector of Police (L & O)
M-3, Puzhal Police Station,
Puzhal, Chennai - 600 066.

3. The Public Prosecutor
High Court, Madras.

+ 2 ccs to Mr.S.Micheal, Advocate SR 63176

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Cr1.O.P.No.26178 of 2015



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