

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Crl.O.P.No.26482 of 2015

Govindaraj

... Petitioner

Vs.

1. The Commissioner of Police,
Coimbatore City,
Coimbatore.

2. The State Rep. by,
The Inspector of Police,
B-15, Rathinapuri Police Station,
Coimbatore.

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the second respondent to register the case on the basis of petitioner's complaint dated 02.10.2015.

For Petitioner : Mr.G.Jeremiah

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition is filed for a direction to the second respondent to register the case on the basis of petitioner's complaint dated 02.10.2015.

2.The petitioner is the tenant under the grandfather of the counter petitioner. The allegation is that on 01.10.2015 the counter petitioner along with rowdy element entered into the petitioner's shop and demanded to vacate the premises and threatened the petitioner and damaged the articles. Therefore, he lodged a complaint to the respondent police on 02.10.2015 but, no action has been taken so far. Hence, this petition.

3. When the matter was taken up for consideration today, the learned Additional Public Prosecutor submitted that the complaint was given only through post and if the petitioner gives a fresh complaint appropriate action would be taken.

4. I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor.

5. In view of the submissions made by the learned Additional Public Prosecutor, this Court directs the petitioner to give a fresh complaint to the second respondent along with a copy of this order 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. If no prima facie case is made out, the second respondent is directed to pass appropriate order on the said complaint.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

pri
To

1. The Commissioner of Police,
Coimbatore City,
Coimbatore.
2. The Inspector of Police,
B-15, Rathinapuri Police Station,
Coimbatore.
3. The Public Prosecutor
High Court, Madras.

+1cc to Mr.B.Nambiselvan, Advocate, S.R.No.62084

Crl.O.P.No.26482 of 2015

PUR(CO)
CA(08/12/2015)