

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26957 of 2015

Karunakaran

... Petitioner

Vs

1. State, represented by
The Commissioner of Police,
District Police Office,
Coimbatore District.
 2. The Inspector of Police,
B-4, Race Course Police Station,
Coimbatore District.
(C.S.R.No.863 of 2015)
- ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register the case on the complaint dated 12.10.2015 in accordance with law.

For Petitioner : Mr.P. Kalimuthu

For Respondent : Mr.C. Emalias
Addl. Public Prosecutor.

O R D E R

The present criminal original petition has been filed seeking a direction directing the respondents to register the case on the complaint dated 12.10.2015 in accordance with law.

2. The petitioner herein has lodged a complaint against one Ravi and AE Deepak before the respondent police on 12.10.2015 stating that the petitioner was working as Driver in Tamilnadu state Transport Corporation in Uppilipalayam Branch, Coimbatore. The Counter petitioners viz., one Ravi and Deepak are Branch Manager and Assistant Engineer of the Transport Corporation respectively and on 12.10.2015, there arose a

wordy altercation between the petitioner and counter petitioners in respect of consumption of excess of diesel for the bus driven by him and during the course of which, the said Ravi is alleged to have abused him in filthy language by calling his caste name.

3. Learned counsel for petitioner submitted that though the complaint was lodged on 12.10.2015, till date, the respondent police has not registered any case on his complaint. Hence, the present criminal original petition has been filed.

4. Learned Additional Public Prosecutor submitted that the complaint lodged by the petitioner on 12.10.2015 was enquired into and the same was closed and he has also produced closure report before this Court.

5. In reply, learned counsel for the petitioner submitted that he was not called for enquiry and the enquiry has been conducted without summoning him.

6. For that learned Additional Public Prosecutor submitted that during the course of enquiry, several witnesses were examined and only after examining the witnesses, the complaint came to be closed as no further action required and he has also produced the copy of the statements of witnesses recorded during the course of enquiry.

7. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

8. Considering the submissions made on either side, this Court is of the opinion since the complaint has already been closed, now this Court cannot give any direction as sought for in this petition. However, the petitioner is directed to work out his remedy in the manner known to law. The learned Additional Public Prosecutor is directed to serve copy of the closure report to the petitioner within a period of one week from the date of receipt of a copy of this order.

This criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CCC)

True Copy

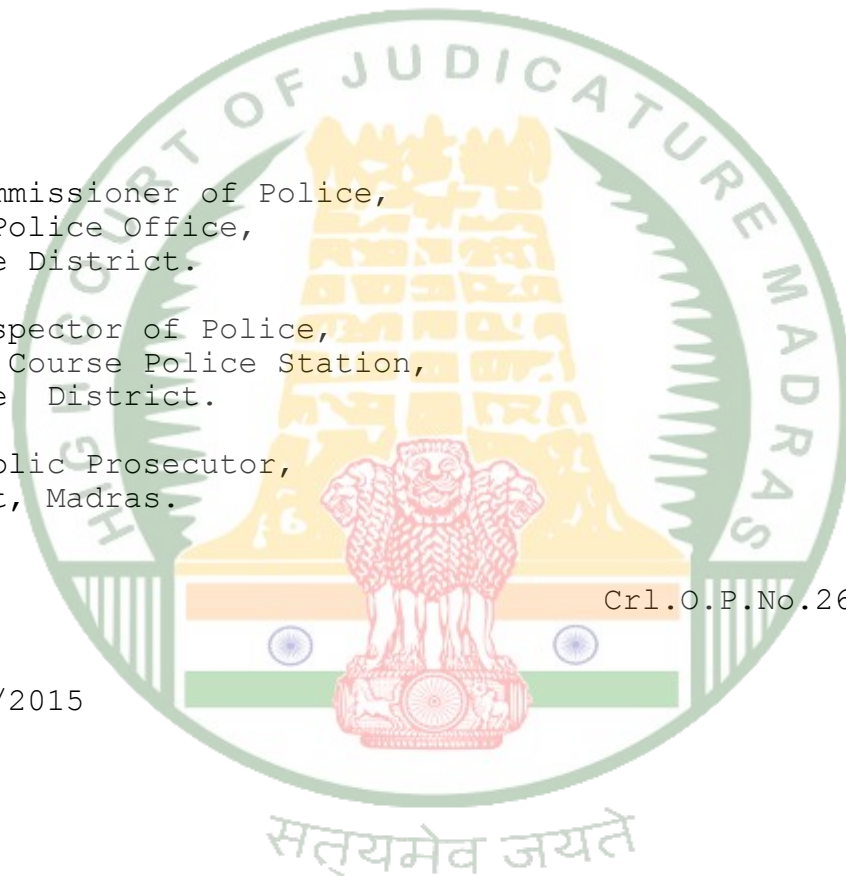
Sub Assistant Registrar

To

1. The Commissioner of Police,
District Police Office,
Coimbatore District.
2. The Inspector of Police,
B-4, Race Course Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.26957 of 2015

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