

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.27889 of 2015

V.Mohamed Sharpudhin

... Petitioner

Vs

1. The Superintendent of Police,
Vellore District,
Vellore.

2. The Inspector of Police,
Arcot Town Police Station,
Arcot, Vellore District.

... Respondent

Prayer: This Petition is filed under Section 482 Cr.P.C., praying to direct the first respondent to drop further action in respect of FIR in Crime No.527 of 2014 dated 04.10.2014, pending on the file of the second respondent police and consequently direct the second respondent to register the case based on the complaint given by the petitioner on 02.10.2014.

For Petitioner : Mr.M.V.Muralidaran

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This petition has been filed by the petitioner praying to direct the first respondent to drop further action in respect of FIR in Crime No.527 of 2014 dated 04.10.2014, pending on the file of the second respondent police and consequently direct the second respondent to register the case based on the complaint given by the petitioner on 02.10.2014.

2. According to the petitioner, his son, namely V.Sukel Ahamed sustained injuries on his right eye while he was holding carom board along with one Sabeer Ahamed at the instance of one

Tmt. Thaheera Banu and when said Tmt. Thaheera Banu thrown a big stone on the said board in order to make it into pieces to use for cooking purpose since a small piece of carom stick got stiched in his right eye. Aggrieved by the same, the petitioner lodged a complaint with the second respondent police on 02.10.2014 against said Thaheera Banu and Sabeer Ahamed orally by narrating the entire facts which were recorded by the Special Sub Inspector, who directed the petitioner to put her signature in white paper. Thereafter, after enquiry on 4.10.2014, the petitioner was called to police station and asked her to put another signature in white paper and in blank FIR copy and asked her to come and collect FIR copy on next day. The grievance of the petitioner is that for his personal gain, the Sub Inspector of Police had changed the version of the complaint as if it was done by the petitioner's son and there was no accusation against the said Thaheera Banu. Therefore, again the petitoiner again gave a written complaint on 26.12.2014 by narrating the above facts. But there was no action taken by the respondents police. Hence, the petitioner has come forward with the present petition, seeking a direction to the first respondent to drop further action in respect of FIR in Crime No.527 of 2014 dated 04.10.2014, pending on the file of the second respondent police and consequently direct the second respondent to register the case based on the complaint given by the petitioner on 02.10.2014.

3. The learned Additional Public Prosecutor would submit that on completion of the investigation, a case was registered as against one Sabeer Ahamed for the alleged offence punishable under Sections 279 IPC and subsequently Section 337 IPC was also added and therefore, there is absolutely no flaw in registering the case and hence, no order as sought for by the petitioner is necessary.

4. In view of the submission made by the learned Additional Public Prosecutor, I do not find any scope to entertain this petition to give direction to the respondents police to drop further action and register a fresh case as sought for by the petitioner.

Accordingly, this Crl.Original Petition is dismissed.

Sd/-

Assistant Registrar(CS VII)

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Sub Assistant Registrar

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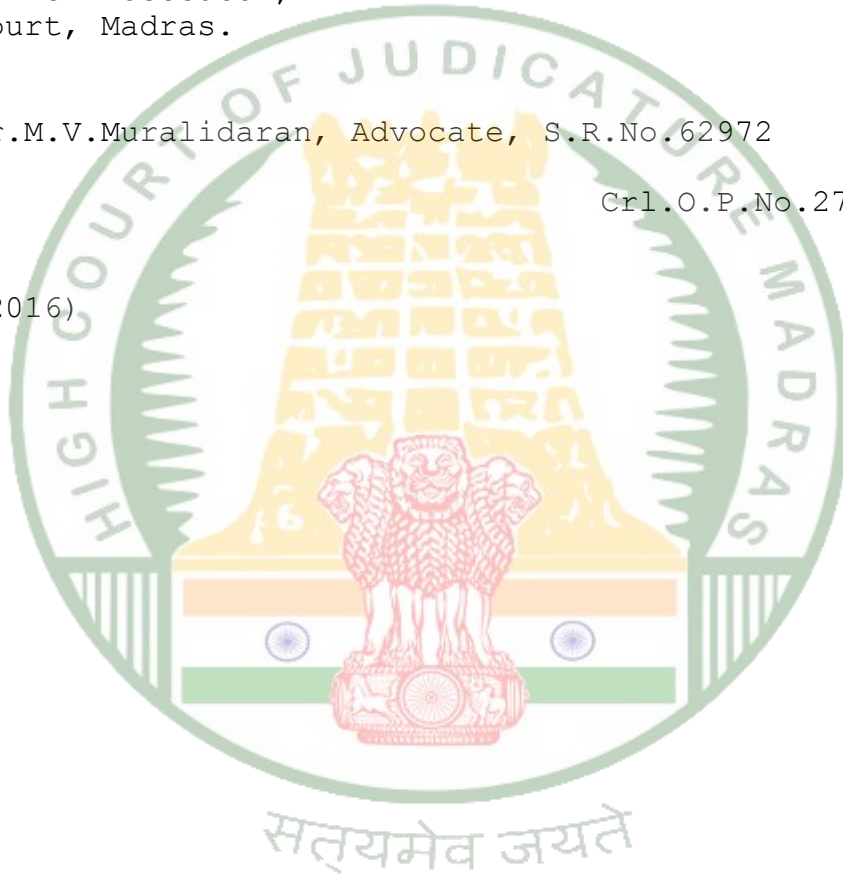
To

1. The Superintendent of Police,
Vellore District,
Vellore.
2. The Inspector of Police,
Arcot Town Police Station,
Arcot, Vellore District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.V.Muralidaran, Advocate, S.R.No.62972

Crl.O.P.No.27889 of 2015

SKV(CO)
CA(12/02/2016)



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