

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2015

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.28005 of 2015

C.Kuppusamy ... Petitioner
Vs.

- 1.The District Superintendent of Police,
Cuddalore District,
at Cuddalore.
- 2.The Deputy Superintendent of Police,
Neyveli,
Cuddalore District.
- 3.The Inspector of Police,
Kurinjipadi Police Station,
Kujinjipadi, Cuddalore District. ... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., praying to direct the respondents-Police to register the petitioner's complaint dated 06.08.2015.

For Petitioner : Mr.M.V.Muralidaran

For Respondents : Mr.C.Emalias, APP

ORDER

This criminal original petition has been filed by the petitioner praying to direct the respondents-Police to register a case on the basis of the petitioner's complaint dated 06.08.2015.

2.In the affidavit filed in support of the petition, it has been stated by the petitioner that he was appointed as Assistant Engineer (Electrical) in the Public Works Department. Now, the petitioner has been placed under Suspension, on the ground that he was arrested and remanded in judicial custody for more than 48 hours, in connection with a criminal case in Crime No.7 of 2014, which was registered under Sections 9, 10, 11 of Prohibition of Child Marriage Act, 2006 and Section 5(c) r/w 6, 5(1), r/w 6, 9(i) r/w 10, 16 r/w 17 of POCSO Act 2012 and Sections 354(B), 372, 373, 372 r/w 109, 494, 495 and 506(i) IPC. Now, in the said case, charge sheet was filed and the same has been taken on file as Spl.S.C.No.20 of 2015 on the file of the learned Sessions Judge, Mahila Court, Cuddalore. While so, on 06.08.2015, the

accused 2 & 3 in the said case, viz., Chinnadurai and Mallika, who are the parents of the victim girl, requested the petitioner herein over phone to come to Kujinjipadi Bus stand at 3 O' clock to meet the advocate in order to discuss about the above said case. Accordingly, the petitioner reached the Kurinjipadi bus stand, where the said persons were already standing. When the petitioner got down from the bus, immediately the said Muthulakshmi, by pointing out the petitioner, instructed her henchmen to attack the petitioner. Even some of the persons, who came there by wheelers in a drunken state of mind, joined along with the above said persons and started to attack the petitioner and they demanded a sum of Rs.5 lakhs. Hence, the petitioner ran to the nearby police booth, but one Thiru.Viji resident of Indira Nagar, Neyveli, chased the petitioner with his two wheeler and obstructed the petitioner and attacked him. Hence, the petitioner lodged a complaint on 06.08.2015, but, the same was not registered by the Police. Hence, the petitioner has come forward with the present petition before this Court.

3.Heard both sides. The learned Additional Public Prosecutor submitted that the petitioner is a 52 years aged person. Since he married a girl aged about 16 years, a complaint was lodged against the petitioner. Now, the petitioner is facing the trial in Spl.S.C.No.20 of 2015 before the learned Sessions Judge, Mahila Court, Cuddalore. It appears that the petitioner has given a false complaint against the parents of the victim girl. Thus, the learned Additional Public Prosecutor opposed to grant any direction to the respondents-Police.

4.Considering the factual aspects of this case and the submissions made by the learned Additional Public Prosecutor, I am of the opinion that it is not fit case to give a direction to the respondents-Police as sought for by the petitioner. The petition is liable to be dismissed.

Accordingly, the criminal original petition is dismissed.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

SSV

To,

1.The District Superintendent of Police,
Cuddalore District, at Cuddalore.

2.The Deputy Superintendent of Police,
Neyveli, Cuddalore District.

3.The Inspector of Police,
Kurinjipadi Police Station,
Kujinjipadi, Cuddalore District.

4.The Public Prosecutor,
Madras High Court, Madras.

+ 1 cc to Mr.V. Muralidaran, Advocate Sr.64932

CrI.O.P.No.28005 of 2015

VS (CO)
Eu 05.1.16



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