

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28189 of 2015

C.Akil Kumar

... Petitioner

Vs

The Inspector of Police,
F2- Aurroville police station,
Vanur Taluk, Villupuram District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking to direct the respondent police to register a case based on the petitioner's complaint dated 13.10.2015.

For Petitioner : Mr.A. Ramesh Manikandan

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

O R D E R

The present petition has been filed seeking a direction to the respondent to register a case based on the complaint lodged by the petitioner dated 13.10.2015.

2. The petitioner is an orphan ever since from his childhood. He is in Sakti Illam, Aurroville, Vanur Taluk, Villupuram District, Tamil Nadu and the founder of the above trust was one Mrs. S.Saraswathi Devi. The said Saraswathi Devi had adopted a number of children and other disabled person. The petitioner is one of the children among them. The above said founder of the trust passed away on 29.01.2012. Therefore, a rowdy group headed by Mr.Machakethu with his family members is trying to grab the property. The said persons threatened the petitioner number of times. On 26.09.2015 at about 7 p.m., Mr. Machakethu along with Mrs. Ananthi, Mr. Sathish and Mr.Sagadevan scolded the petitioner in filthy language and took away a sum of Rs.720/- from him. Hence, the petitioner made a complaint on the

very same day to the respondent police. But, till date, no case has been registered. Hence, the petitioner has come forward to file the present petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

4. Considering the nature of allegations made in the complaint, this Court directs the respondent to conduct enquiry and if a prima facie case has been made out, the respondent is fully at liberty to register a case based on the complaint lodged by the petitioner dated 13.10.2015 within a period of four weeks. The respondent is directed to file a report after four weeks.

Call the matter after four weeks.

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23.11.2015

This matter is having been listed under the Caption 'For Reporting Compliance' on Monday, the Eighteenth day of January 2016 and in the presence of Mr.A.Ramesh Manikandan, Advocate for the Petitioner and of Mr.C.Emilias, Additional Public Prosecutor, Advocate for the Respondent, the Court made the following order:-

Today, the matter is listed under the caption 'for reporting compliance'.

2. When the matter came up before this Court on 23.11.2015, this Court had directed the respondent police to conduct an enquiry and if a prima facie case has been made out, the respondent is directed to register a case based on the complaint of the petitioner dated 13.10.2015 and the matter was adjourned by four weeks for filing a report. Subsequently, when the matter came up on 04.01.2016, learned Additional Public Prosecutor had sought for time. Hence, the matter was again adjourned and it is list today.

3. Today, when the matter is called, learned Additional Public Prosecutor submitted that on completion of enquiry on the complaint of the petitioner dated 13.10.2015, the F.I.R. has been registered in Crime No.7 of 2016 for the alleged offence under Sections 294(b), 323, 379, 404 and 448 of IPC.

4. Since the FIR has been registered, the order dated 23.11.2015 has been complied with. Therefore, the criminal original petition stands closed. However, the respondent police is directed to expedite the investigation and file a final report as early as possible.

18.01.2016

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ASSISTANT REGISTRAR (CS-VII)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

To

1.The Inspector of Police,
F2- Aurroville police station,
Vanur Taluk, Villupuram District.

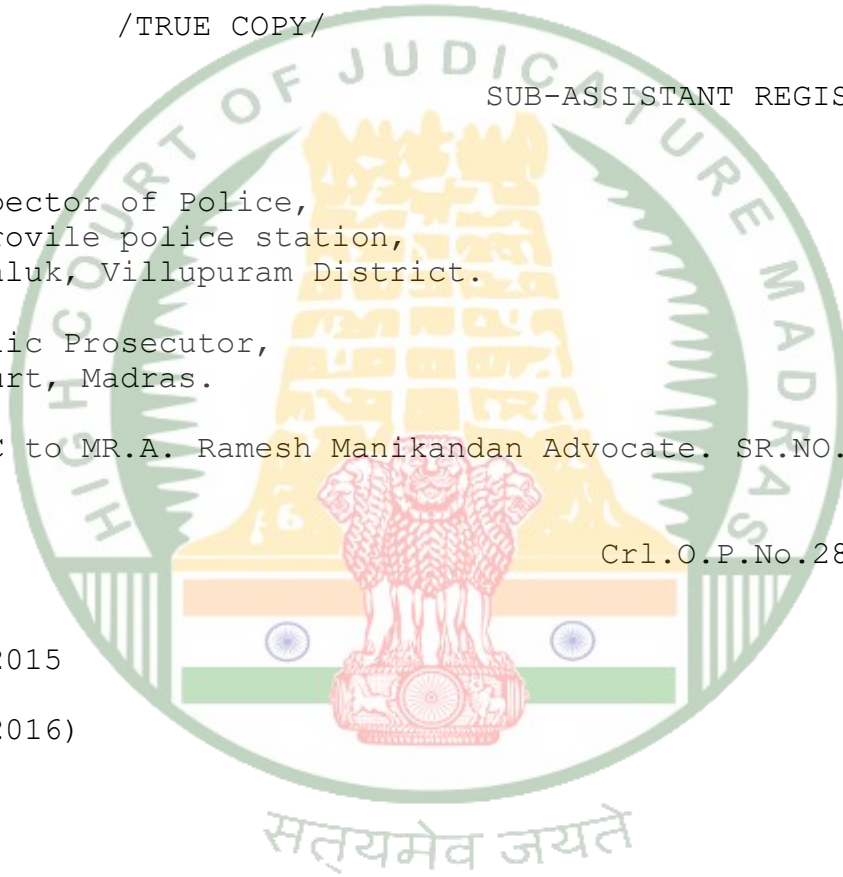
2.The Public Prosecutor,
High Court, Madras.

+1 CC to MR.A. Ramesh Manikandan Advocate. SR.NO.2405

CrI.O.P.No.28189 of 2015

AR-IV
JD 25/11/2015

CA(27.01.2016)



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