

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.28224 of 2015

Bathrinarayanan

.. Petitioner

..VS..

1.The State Rep.by
The District Superintendent of Police,
Vellore District,
Vellore.

2.The State Rep.by
The Deputy Superintendent of Police,
Arakkonam,
Arakkonam Taluk,
Vellore District.

3.The State Rep.by
The Inspector of Police,
Arakkonam Town Police Station,
Arakkonam Taluk, Vellore District.

4.Sasikumar

5.K.P.Jayaprakash

..Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to direct the third respondent to register the case based on the complaint given by the petitioner on 22.09.2015 to the first and second respondents and investigate the matter in accordance with law.

For Petitioner : Mr.C.Mohanraj

For Respondents : Mr.Emalias
Additional Public Prosecutor

O R D E R

The present petition has been filed seeking a direction to direct the third respondent to register a case based on the complaint given by the petitioner on 22.09.2015 to the first and second respondents and investigate the same, in accordance with law.

2.The petitioner lodged a complaint on 22.09.2015 before the respondent police against one Sasikumar and Jayaprakash along with two unknown persons stating that the said Sasikumar and Jayaprakash raised wordy quarrel with the petitioner and they tried to attack the petitioner with knives, thereby the petitioner sustained injury. At that time the petitioner's friend and public prevented the activities of the above said persons, and the petitioner was admitted in the hospital by his friend and he has also given a complaint against the above said persons before the respondent police and the complaint was registered as Cr.No.415 of 2015 under Section 307 of IPC. Again, the said counter petitioners have threatened the petitioner and his family members with dire consequences facing them to withdraw the case in Crime No.415 of 2015, which was given by the petitioner's friend. Hence, the petitioner lodged a complaint before the respondents 1 and 2 against the above said Sasikumar, Jayaprakash and two others. But, no action was taken sofar. Hence, the present criminal original petition has been filed.

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

4.The learned Additional Public Prosecutor submitted that if the petitioner gives a fresh complaint before the third respondent, necessary action will be taken.

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 third respondent along with the copy of this order within a period of one week from the date of receipt of a copy of this order, and on receipt of the same, the third respondent is directed to conduct enquiry and proceed further in accordance with law, as early as possible. If no prima facie case has been made out, the third respondent is at liberty to pass appropriate order on the complaint given by the petitioner.

6.The Criminal Original Petition is disposed of accordingly.

ari

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

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

2.The Deputy Superintendent of Police,
Arakkonam,
Arakkonam Taluk,
Vellore District.

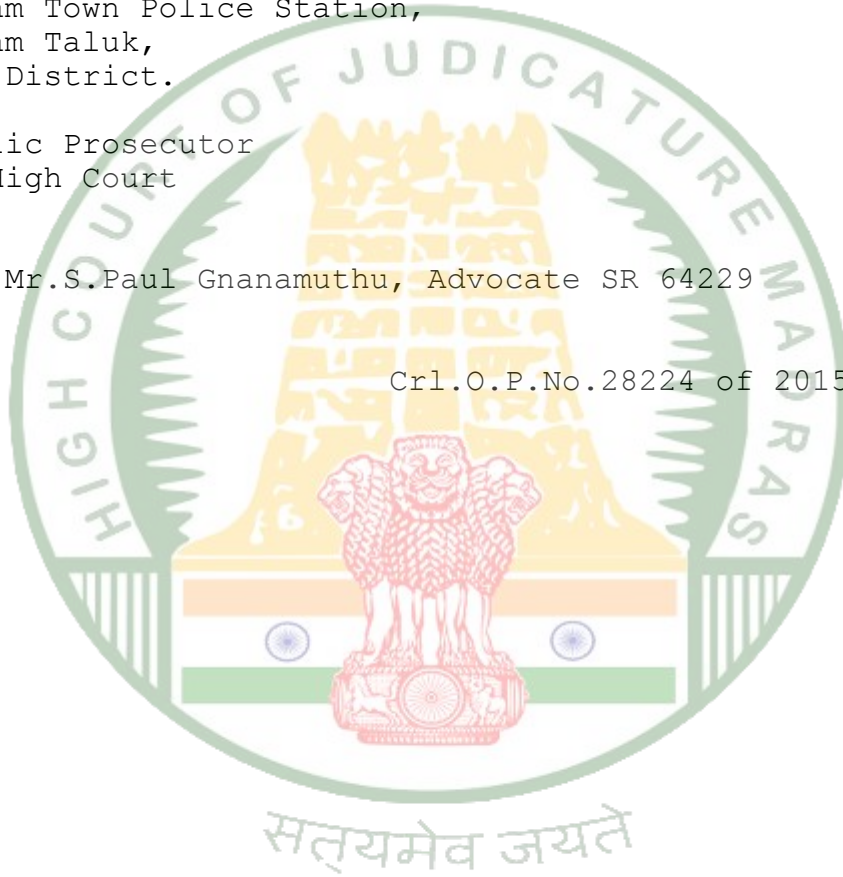
3.The Inspector of Police,
Arakkonam Town Police Station,
Arakkonam Taluk,
Vellore District.

4.The Public Prosecutor
Madras High Court
Chennai

+ 1 cc to Mr.S.Paul Gnanamuthu, Advocate SR 64229

(co)
prk21/12

Crl.O.P.No.28224 of 2015



WEB COPY