

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29416 of 2015

L.Ramaswamy

... Petitioner

..Vs..

1. The Inspector of Police,  
R8, Vadapalani Police Station,  
Vadapalani, Chennai.

2. The Inspector of Police,  
Virugambakkam Police Station,  
Virugambakkam,  
Chennai.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the 2<sup>nd</sup> respondent to register the complaint dated 05.10.2015 lodged by the petitioner, enquire the case in accordance with law.

For Petitioner : Mr.C.D.Sugumar

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

O R D E R

The present Criminal Original Petition has been filed seeking a direction to the 2<sup>nd</sup> respondent to register the petitioner's complaint dated 05.10.2015 and enquire the case in accordance with law.

2. In the affidavit accompanying the petition, the petitioner has stated that his son, Rajesh has got some matrimonial dispute with his wife. His son, who is working in a foreign country returned to India on 26.09.2015. On 01.10.2015, when the petitioner's son went to see his wife, who is living with her parents at Saligrammam, Chennai, the parents of his son's wife abused the petitioner and his son in a filthy language. Further, they also assaulted the petitioner and his son, locked them in a room and lodged a complaint with the respondent police as if the petitioner and his son assaulted them. Based on their complaint, F5, Choolaimedu Police registered a case against the petitioner and

his son under Sections 294(b), 323 and 506(i) I.P.C. in Crime No.2607 of 2015. Since, it is the parents of the petitioner's son's wife who actually assaulted the petitioner and his son, the petitioner lodged a complaint with the 1<sup>st</sup> respondent on 05.10.2015. The 1<sup>st</sup> respondent refused to receive the complaint and forwarded the same to the 2<sup>nd</sup> respondent for enquiry. The 2<sup>nd</sup> respondent received the said complaint and assigned CSR No.886/2015 on 13.10.2015 in receipt of the complaint. Since no action is taken on the said complaint, having no other alternative, the petitioner has come up with the present Criminal Original Petition.

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

4. Learned Additional Public Prosecutor appearing for the respondents would submit that the counter petitioner has also lodged a complaint in F5, Choolaimedu Police Station and a case has been registered in Crime No.2607/2015 under Sections 294(b), 323 and 506(i) IPC.

5. Considering the above submissions and taking note of the facts of the case, this Court feels it appropriate to direct the 2<sup>nd</sup> respondent police to transfer the case in CSR No.886/2015 to the file of F5, Choolaimedu Police Station and the Inspector of Police, F5, Choolaimedu Police Station is directed to conduct enquiry and proceed further in accordance with law, as early as possible.

This Criminal Original Petition is disposed of accordingly.

Sd/-  
Asst.Registrar (CS II )

/true copy/

Sub Asst. Registrar

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To :

1. The Inspector of Police,  
R8, Vadapalani Police Station,  
Vadapalani, Chennai.
2. The Inspector of Police,  
Virugambakkam Police Station,  
Virugambakkam, Chennai.
3. The Inspector of Police  
F5 Choolaimedu Police Station  
Chennai

4. The Public Prosecutor,  
High Court, Madras.

1 cc to Mr.C.D. Sugumar, Advocate, Sr. 66573

Cr1.O.P.No.29416 of 2015

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