

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Cr1.O.P.No.29639 of 2015

K.Muthuswamy

... Petitioner

Vs.

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

2. The State by Inspector of Police,
Madharakkuppam Police Station,
Mandharakkuppam

3. Jothi

4. Namasivayam

5. Panneerselvam

6. Prabakaran

7. Iyappan

8. Anjalai

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the first respondent / Superintendent of Police to investigate the complaint dated 16.05.2015 made by the petitioner in accordance with provision of Section 154(3) Cr.P.C.

For Petitioner : Mr.R.Margabandhu

For Respondents: Mr.C.Emalias

1 & 2

Additional Public Prosecutor

ORDER

This petition is filed for a direction to the first respondent to investigate the complaint given by the petitioner dated 16.05.2015 in accordance with law.

2. The petitioner herein lodged a complaint as against one Iyyappan, who is the Son of petitioner's father's first wife alleging that on account of a property dispute, when the petitioner was not in house the said Iyyappan has attempted to attack the petitioner's mother with knife and also damaged the compound wall of his property. Immediately, the petitioner lodged a complaint before the second respondent. As the second respondent has not taken any action on the said complaint, the petitioner sent a complaint to the District Judge and the same was forwarded to the first respondent. But, till date no action has been taken on the said complaint. Hence, the petitioner has come forward with this present petition.

3. I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor.

4. When the matter was taken up for consideration today, the learned Additional Public Prosecutor submitted that the petitioner may be directed to give a fresh complaint to the second respondent and on receipt of the fresh complaint, the second respondent would take appropriate action.

5. In view of the submissions made by the learned Additional Public Prosecutor, this Court directs the petitioner to give a fresh complaint along with a copy of this order to the second respondent within a period of one week from the date of receipt of a copy of this order and the second respondent on receipt of the same is directed to conduct enquiry on the same and upon enquiry, if materials are gathered indicating commission of any cognizable offence, is directed to proceed further in accordance with law, as early as possible.

6. With the above directions, the Criminal Original Petition is disposed of.

सत्यमेव जयते

-s/d-

Assistant Registrar

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Sub-Assistant Registrar

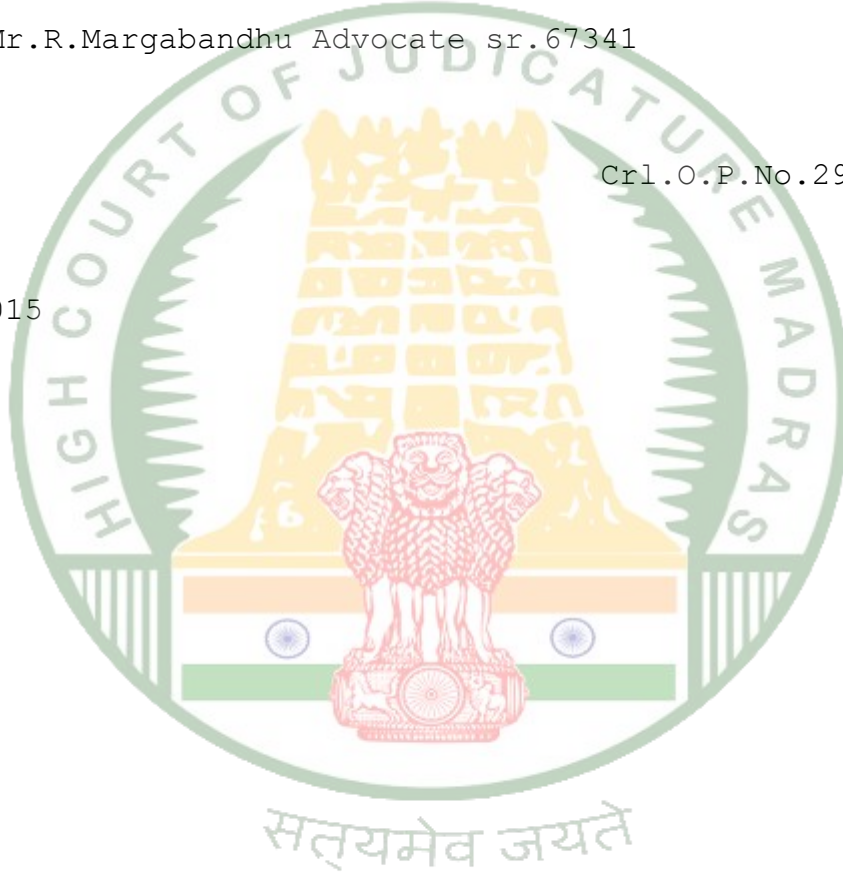
To

1. The Superintendent of Police,
Office Superintendent of Police,
Cuddalore District.
2. The Inspector of Police,
Madharakkuppam Police Station,
Mandharakkuppam
3. The Public Prosecutor
High Court, Madras.

+1 cc to Mr.R.Margabandhu Advocate sr.67341

Crl.O.P.No.29639 of 2015

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