

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CRL.OP.No.30012/2015

K.Jothilingam

..Petitioner/Defacto Complainant

Versus

The Inspector of Police
S4 Nandambakkam Police Station
Nandambakkam,
Chennai 600 089.

..Respondent/Complainant

Criminal Original Petition filed under section 482 Cr.P.C., directing the respondent police to register the case based on the complaint given by the petitioner dated 06.12.2015 and to investigate the same.

For Petitioner : Mr.S.John J.Raja Singh
For Respondent : Mr.C.Emalias, APP

ORDER

This petition has been filed seeking a direction to direct the respondent to register the complaint dated 06.12.2015.

2. On a reading from a leading news paper, the petitioner came to know that 18 patients who were treated in MIOT Hospital died during the heavy flood at Chennai due to the negligence on the part of the doctors as well as the management of the said hospital in treating and managing the in-patients. Hence, he lodged a complaint with the respondent police against the doctors and the management of the said hospital for offences including criminal conspiracy, causing deaths by such negligent acts, causing disappearance of evidence. The petitioner has also forwarded the said complaint to the Commissioner of Police, Chennai. Since no action was taken so far, the petitioner is before this Court.

3.Learned Additional Public Prosecutor would submit that already a complaint had been registered in Crime No.2444 of 2015 for alleged offence under Section 174 of Cr.P.C. and the enquiry is pending with the Nandampakkam RDO and as soon as they receive the report, they would proceed further in the matter.

4. Since already a case is pending for the same cause of action, this Court is of the view that at this juncture, registration of one more complaint for the very same purpose may not be just and proper. Hence, this Court is not inclined to entertain the same and hence, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar (Cs-V)

/TRUE COPY/

Sub-Assistant Registrar

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To

1.The Inspector of Police
S4 Nandambakkam Police Station
Nandambakkam, Chennai 600 089.

2.The Public Prosecutor
High Court, Madras.

+1 CC to MR.S.John J.Raja Singh Advocate. SR.NO. 68455

Cr1.OP.No.30012/2015

CO-CTK
JD 07/01/2016

सत्यमेव जयते

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