

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.5433 of 2015

S.Madhusudanan

.. Petitioner

Vs

1.The Joint Commissioner of Police,
South Division, St.Thomas Mount,
Chennai.

2.The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to direct the 1st respondent herein to register the case on
the complaint dated 28.02.2015 and to transfer the same to any
other investigation agency for a fair enquiry.

For Petitioner : Mr.S.Arivazhagan for Mr.D.Arulthamilan
For Respondents : Mr.S.Shanmugavelayutham, PP

O R D E R

This Criminal Original Petition has been filed praying to
direct the 1st respondent herein to register the case on the
complaint dated 28.02.2015 and to transfer the same to any other
investigation agency for a fair enquiry.

2. Heard Mr.S.Arivazhagan , learned counsel for the
petitioner and Mr.S.Shanmugavelayutham, learned Public Prosecutor
appearing for the respondents.

3. The respondent police filed a counter statement, wherein
in paragraph 3 at Page No.4, it is stated as follows:-

"Further, the said accused/Rowdy-Saravanan @
Maalli Saravanan & 23 others were arrested by the said
police parties and a case registered against 24
accused/Rowdies in Pallikaranai Police Station Crime
No.542/2015 under sections 147,148,341,447,506(ii) IPC
r/w 3 of TNPPDL Act on 27.02.2015 and the same is under
investigation. Then, the said 24 accused remanded at
judicial custody.

Thereafter, the said police parties came to the Pallikaranai Police Station and found that the said Murali and others are not available.

6. It is submitted that enquiry reveals that the occurrence date i.e., 27.02.2015. Tr.Murali and others only came to the Pallikaranai Police Station (L&O) and meet Tr.Natarajan, Inspector of Police (L&O) regarding in Crime No.503/2015, dated 24.02.2015. On source of information, the Inspector of Polices (L&O and Crime) went to the scene of occurrence and arrested 24 accused/Rowdies only at the spot. Further, the complainant, the said Murali and others are not found that the above said occurrence place by the Police parties".

4. It is seen that none of the advocates were arrested and only rowdy elements were arrested. It will be in the interest of justice a quietus is given to this case.

5. Recording the same, this petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nvi
To

1.The Joint Commissioner of Police,
South Division, St.Thomas Mount,
Chennai.

2.The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai.

3. The Public Prosecutor,
High Court, Madras.

The Public Prosecutor,
High Court, Madras.25997/15

CRL.OP.No.5433 of 2015

sv(co)
pmk.8.6.2015