



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.07.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.O.P.No.14282 of 2015

Pandi Shankar

: Petitioner

-Vs-

1.The Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai District.

: Respondents

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the second respondent to register a case based on the petitioner's complaint, dated 14.04.2015.

For Petitioner

:Mr.B.Anandan

For Respondents

: Mrs.S.Prabha

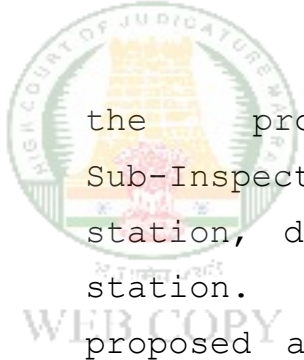
Government Advocate(Cr1. Side)

ORDER

This petition has been filed under section 482 Cr.P.C, praying to direct the second respondent to register a case based on the petitioner's complaint, dated 14.04.2015.

2.Heard learned counsel for the petitioner and the learned Government Advocate(Cr1. Side) for the State.

3.The learned counsel for the petitioner submitted that the petitioner was working as a Head Constable in Sivagangai Taluk Police Station and on 10.04.2015 at about 10.00 p.m., the petitioner went to the second respondent police station to enquire about the non-supply of his uniform for the past three years. At that time,



the proposed accused Boominathan, who is the Sub-Inspector of Police attached to the second respondent police station, directed the petitioner to do some work in that police station. The same was refused by the petitioner, for which, the proposed accused abused the petitioner with filthy language and kicked him on his stomach and threatened the petitioner with dire consequences. Therefore, the petitioner gave a complaint to the second respondent to register a case. Since, no action has been taken so far, the petitioner has come forward with this petition.

4.The learned Government Advocate(Crl. Side) has submitted that based on the complaint given by the petitioner, dated 14.04.2015, petition enquiry is pending before the second respondent police.

5.In view of the above, the second respondent police is directed to conduct a preliminary enquiry, which shall not extend beyond a period of seven days from the date of receipt of a copy of this order, by following the judgement of the Hon'ble Supreme Court in ***Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)]***. In conducting the preliminary enquiry, they shall put the concerned parties upon notice. At the end thereof, if any cognizable offence is made out, they shall duly register a case. In the event of effecting closure of the case upon conducting a petition enquiry, a copy of the closure report shall be forwarded to the complainant.

6.The Criminal Original Petition is disposed of with the above direction.

sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

pm



To

1.The Superintendent of Police, Sivagangai District.

2.The Inspector of Police, Sivagangai Town Police Station,
Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+one cc to Mr.B.Anandan, Advocate, SR.No.41899

Cr1.O.P(MD) .No.14282 of 2015

27.07.2015

CSL/13.08.2015

3P/5C