

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.07.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.12007 of 2016

J.Ganessin ... Petitioner

Vs

1.The State rep by
The Superintendent of Police,
Policing of Police,
Pondicherry-1.

2.The Inspector of Police,
Policing of Police,
Pondicherry-1. ... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondents to take necessary action pertaining with petition No.178/SP [PoP] HQ/OW/2012 dated 10.07.2012 in accordance with law.

For Petitioner : Party-in-person
For Respondents : Mr.M.R.Thangavel, APP [Pondy]

O R D E R

This petition has been filed to direct the respondents to take necessary action on petition No.178/SP [PoP] HQ/OW/2012 dated 10.07.2012 in accordance with law.

2. Heard the petitioner; learned Additional Public Prosecutor [Pondy] appearing for the respondents and perused the materials placed on record.

3. It is seen that this petitioner had lodged a complaint dated 26.04.2012 alleging that one Vinayagam had beaten him and threatened him at 12.10noon on 26.04.2012 and that the said Vinayagam is a very influential person. In this connection, the Sub Inspector of Police, Orleanpet Police Station conducted enquiry and came to a conclusion that no such incident had taken place and therefore, had closed the petitioner's complaint.

4. Thereafter, it was open to the petitioner for filing a private complaint against the said Vinayagam, which the petitioner did not do. Instead, the petitioner made a complaint dated 02.06.2012 to the superior police officials making allegations that Senthil Kumar, Sub Inspector of

Police, Orleanpet Police Station did not conduct the enquiry properly. In this regard, the petitioner was summoned by the Inspector of Police, Policing of Police, Head Quarters on 10.07.2012 to appear before him on 14.07.2012 in connection with the allegations against Senthil Kumar. Now, in the year 2016, the petitioner has filed the present petition under Section 482 Cr.P.C. for a direction to the respondent police to dispose of the proceedings in 178/SP [PoP] HQ/OW/2012 dated 10.07.2012.

5. In the considered opinion of this Court, the prayer cannot be acceded to, on account of latches on the part of the petitioner. That apart, the petition under Section 482 Cr.P.C. cannot be invoked as the matter is not covered under the Code of Criminal Procedure. Hence, this petition stands dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Policing of Police,
Pondicherry-1.

2.The Inspector of Police,
Policing of Police,
Pondicherry-1.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.J. Ganessin, Advocate Sr.38464

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BVR(CO)
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