

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.426 of 2016

K.Jayakumar

..Petitioner

Vs

The State rep.by
The Inspector of Police,
Krishnagiri Rural Police Station,
Krishnagiri.

..Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register a case on the petitioner's complaint dated 30.11.2015.

For Petitioner : Mr.S.V.Karthikeyan
For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking a direction to the respondent to register a case based on the complaint of the petitioner dated 30.11.2015.

2.The petitioner lodged a complaint on 30.11.2015 as against one Madhaiyan stating that the petitioner is the owner of the Ape Auto Rickshaw bearing Reg.No.TN 24 J 1803. The counter petitioner P.Madhaiyan was employed under this petitioner to drive the auto rickshaw. Due to some misunderstanding, the petitioner has taken back his auto rickshaw from the counter petitioner. When the petitioner was in the office of RTO, Krishnagiri to renew the fitness certificate of the vehicle, the counter petitioner along with his wife and daughter came there and attacked the petitioner with a wooden log, knife and pelted stones and also abused him. Hence, the petitioner lodged a complaint before the the respondent-police. Since till date no action was taken by the respondent-police, the petitioner has come forward with the present criminal original petition.

3.When the matter is taken up for consideration, the learned Additional Public Prosecutor submitted that no proof was attached with the complaint by the petitioner to show that he sustained injury. If proof is given to the respondent-police, necessary action would be taken.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5.In view of the submissions made by the Additional Public Prosecutor, this Court directs the petitioner to furnish proof to show that the petitioner sustained injuries on the date of occurrence. On receipt of the same, the respondent-police is directed to conduct enquiry on the basis of the complaint given by the petitioner and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the respondent-police is directed to proceed further in accordance with law, as early as possible.

6.This criminal original petition is disposed of accordingly.

Sd/-

Asst.Registrar (CS-II)

/true copy/

Sub Asst. Registrar

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To

1.The Inspector of Police,
Krishnagiri Rural Police Station,
Krishnagiri.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.S.V.Karthikeyan, Advocate (Sr.No.1612/16

CO-KGK

ths : 28.01.2016

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