

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2016

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Crl.O.P.No.1427 of 2016

J.Vinoth Kumar
S/o.Jayaseelan
No.66, New Street,
Mettupalayam Village,
Vellore Circle,
Vellore District

... Petitioner

Vs.

1. The Superintendent of Police,
Vellore, Vellore District

2. The Inspector of Police,
Taluk Police Station,
Vellore, Vellore District

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the second respondent to register the FIR based on the complaint dated 28.12.2015 and investigate the case and file the final report within stipulated time.

For Petitioner : Mr.M.Sathish Kumar

For Respondents: Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to the second respondent to register the FIR based on the complaint dated 28.12.2015 and investigate the same.

2. The petitioner lodged a complaint as against one Santhamoorthy and Kamaraj on the allegation that they assaulted the petitioner. Though the complaint has been lodged on 28.12.2015, till date no action has been taken. Hence, he has come forward with this petition.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.S.R.No.529 of 2015 has been assigned and the matter is pending for enquiry.

5. In view of the submissions made on either side, since a complaint is pending under C.S.R.No.529 of 2015, this Court directs the second respondent police to conduct enquiry on the complaint given by the petitioner dated 28.12.2015 in C.S.R.No.529 of 2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, is directed to proceed further in accordance with law, as early as possible. If no prima facie case is made out for registering the case, the second respondent is directed to pass an appropriate order on the complaint of the petitioner.

6. This criminal original petition is disposed of accordingly.

-s/d-

Assistant Registrar(CSV)

True Copy

Sub-Assistant Registrar

srn
To

1. The Superintendent of Police,
Vellore, Vellore District
 2. The Inspector of Police,
Taluk Police Station,
Vellore, Vellore District
 3. The Public Prosecutor,
High Court, Madras.
- +1 cc to Mr.M.SathishKumar, Advocate sr4397

Cr1.O.P.No.1427 of 2016

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