

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.14767 of 2016

and Crl.MP.No.7365 of 2016

Sathya Pillai

...

Petitioner

Vs

1.State Rep. by

The Inspector of Police,
J-9, Thoraipakkam Police Station,
Chennai - 600 096.

2.Deepak Ram Nath

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the record of the proceedings pertaining to Crime No.909 of 2016 dated 26.05.2016 under Section 289 & 337 of IPC on the file of the 1st respondent police and quash the same.

For Petitioner : Mr.G.Thangavel

For Respondent [R1] : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Crime No.909 of 2016 pending on the file of the first respondent-police.

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

3. It is the case of the defacto complainant that the petitioner was holding a dog and that dog had bitten the defacto complainant, and thereafter the petitioner did not come to the rescue of the defacto complainant, on account of which, the present FIR has been registered.

4. The learned counsel appearing for the petitioner submitted that the defacto complainant was bitten by a road dog and that the petitioner cannot be criminally liable.

5. The reading of the FIR clearly states that the petitioner had a dog which was chained and that the dog was let loose and it had bitten the defacto complainant.

6. Disputed questions of facts cannot be gone into in a proceedings under 482 Cr.P.C., Hence, this petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

To Sub Asst. Registrar

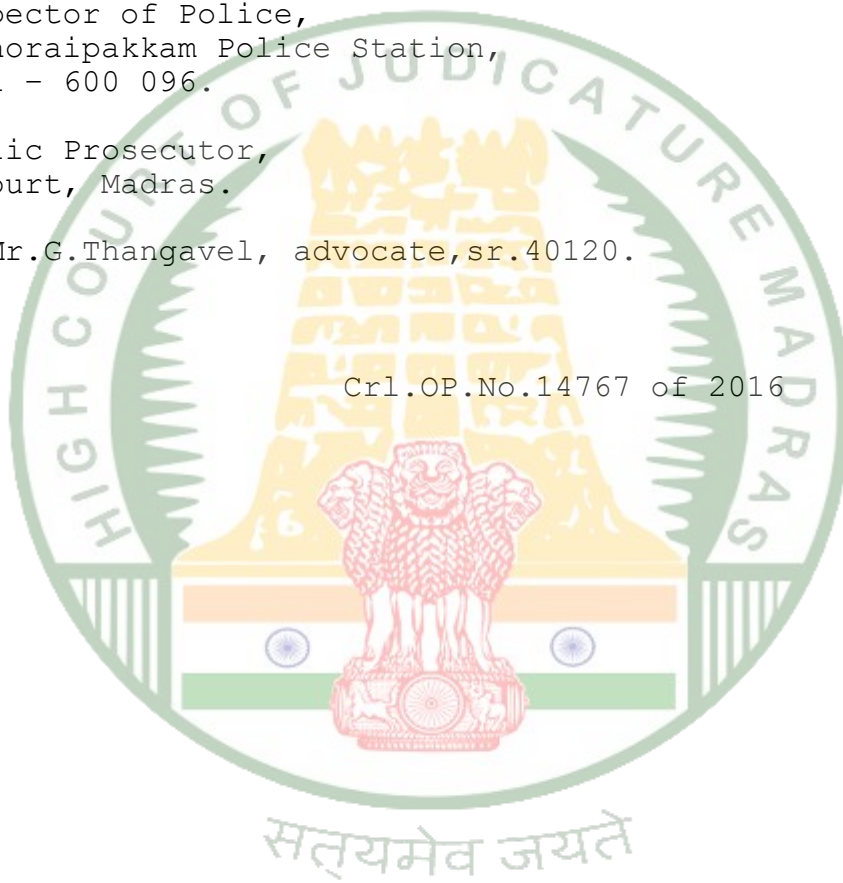
1.The Inspector of Police,
J-9, Thoraipakkam Police Station,
Chennai - 600 096.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.G.Thangavel, advocate,sr.40120.

lrs(co)
krd 5/8

Crl.OP.No.14767 of 2016



WEB COPY