

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.1619 of 2016

Suresh Kumar

.. Petitioner

.Vs.

The State Rep. by
The Inspector of Police,
Pallikonda Police Station,
Gudiyattam Taluk,
Vellore District.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C.to direct the respondent to register the complaint dated 22.12.2015 on the file of the Inspector of Police, Pallikonda Police Station, Vellore District.

For petitioner : Mr.Parigopal
For Respondents : Mr.C.Emalias
Addl.Public Prosecutor

O R D E R

The present Criminal Original Petition has been filed to direct the respondent to register the complaint dated 22.12.2015 on the file of the Inspector of Police, Pallikonda Police Station, Vellore District.

2. The case of the petitioner is that on 22.12.2015, a festival ceremony was conducted by the Village Head Members of Kanthaneri Village. During the said festival a chariot car was taken in a procession, the petitioner and his wife namely Jeevtha who was in a pregnancy stage went nearer to the chariot car to garland the deity at that time, the accused persons have assaulted the petitioner and his wife. In this regard, the petitioner lodged a complaint with the respondent police. Though the petitioner has lodged the complaint along with the wound certificate, no action has been taken on the said complaint. Hence the petitioner has come forward with the present criminal original petition.

3. I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent.

4. The learned Additional Public Prosecutor submitted that if a fresh complaint along with the wound certificate is given by the petitioner to the respondent police necessary action would be taken.

5. In view of the submissions made on either side, this court directs the petitioner to give a fresh complaint along with wound certificate to the respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondent is directed to conduct enquiry and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law. If no prima facie case is made out for registering the case, the respondent is directed to pass an appropriate order on the complaint of the petitioner.

6. The Criminal Original Petition is disposed of .

kkd

s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Pallikonda Police Station,
Gudiyattam Taluk,
Vellore District.

2. The Public Prosecutor,
High Court, Madras.

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