

DATED : 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.1750 of 2016

Georgenathan

... Petitioner

 V_S

State rep.by

the Inspector of Police,
Omalur Police Station,
Salem District.

... Respondent

Criminal Original Petition file under Section 482 Cr.P.C. seeking a direction to the respondent to register the case on the petitioner's complaint dated 10.01.2016.

For Petitioner : Mr.C.Ramkumar

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The present criminal original petition has been filed seeking direction to the respondent to register a case on the basis of the complaint given by the petitioner dated 10.01.2016.

2.The case of the petitioner is that the petitioner is having a Tarras lorry bearing Regn.No.KA 01 C 020. On 22.12.2015, he loaded Colgate paste 880 boxes from Gujarat to Trichy and on 01.01.2016 midnight around 2 p.m., he stopped the lorry near R.C.Chettipatty, L.R.R.C. Hospital to visit his mother-in-law. After returning from the Hospital, he found that the Tarpauline has been torn and 70 to 80 boxes were found to be stolen from the lorry. Hence, the petitioner lodged a complaint before the respondent police. On receipt of the same, C.S.R.No.17 of 2016 has been assigned. But, till date no action was taken. Hence, the petitioner has come forward with the present criminal original petition.

3.The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner dated 10.01.2016, C.S.R.No.17 of 2016 has been assigned and the matter is pending for enquiry.

4.I have 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 on either side, this Court directs the respondent-police to conduct an enquiry on the basis of the complaint given by the petitioner dated 10.01.2016 in C.S.R.No.17/2016 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. If no prima facie case has been made out, the respondent-police is at liberty to pass appropriate order on the complaint given by the petitioner.

6. This criminal original petition is disposed of accordingly.

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Sd/-

Assistant Registrar (CS III)

/TRUE COPY/

Sub-Assistant Registrar

To

1.The Inspector of Police,
Omalur Police Station,
Salem District.

2.The Public Prosecutor,
High Court, Madras.

+1CC to MR.C.RAMKUMAR Advocate SR.NO.5589

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KJI [CO]

MK : 11/02/2016