

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.1786 of 2016

Dharamaraj Chopra

..Petitioner

Vs

The Inspector of Police,
C-2, Elephant Gate Police Station,
Chennai.

..Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the respondent to register a FIR on the complaint of the petitioner dated 07.05.2015.

For Petitioner :Mr. A.D.Jagadish Chandira
For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

The present criminal original petition has been filed to direct the respondent to register a FIR on the complaint of the petitioner dated 07.05.2015.

2. In the petition, it has been stated that on 07.05.2015, at about 12.00 p.m., after meeting certain customers, the petitioner came to his office and he was about to park his two wheeler on the opposite side of the street. At that time, one Chandrasekar, who is residing at No.16, Elephant Gate Street, Sowcarpet, Chennai, had objected to park the vehicle and shouted from standing on the first floor balcony of his house. When the petitioner questioned the same the said Chandrasekar came down and started to assault the petitioner with hands on his face, head and chest. In the presence of the shop keepers, the said Chandrasekar had abused the petitioner in filthy language and also threatened the petitioner with dire consequences. In this regard, the petitioner has lodged a complaint on 07.05.2015. But, till date, no action has been taken on the said complaint. Hence, the present criminal original petition has been filed.

3. Today, when the matter was taken up for consideration, the learned Additional Public Prosecutor submits that the counter petitioner had already lodged a complaint against this petitioner. Based on that, investigation was completed and chargesheet has been filed and the same was taken on file as C.C. No.1260 of 2015 on the file of the VIII Metropolitan Magistrate and already three witnesses were examined. The complaint given by this petitioner was also enquired and already closed. Now, after the commencement of the trial in that case, he has come forward with the present petition.

4. Since the complaint given by the petitioner has already been closed, nothing survives in this petition. Therefore, the petition is dismissed, however, the petitioner is at liberty to work out his remedy under Section 156(3) of Cr.P.C.

sd/-
Assistant Registrar(Cs-VII)

/TRUE COPY/

Sub-Assistant Registrar

mrp

To:

1. The Inspector of Police,
C-2, Elephant Gate Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.

+1 CC to MR.A.D.Jagadish Chandira Advocate. SR.NO. 5785

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CO-MG

JD 12/02/2016

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