

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.18687 of 2016

V.Ezhumalai

... Petitioner/Defacto
Complainant

Vs

State Rep. by

1. The Deputy Superintendent of Police,
Polur,
Tiruvannamalai District.

2. The Inspector of Police,
Chetpet Police Station,
Tiruvannamalai District.

... Respondents/Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the second respondent to register the petitioner's complaint dated 28.03.2016 in C.No.118/SDO/Polur/2016, and investigate the same in accordance with law.

For Petitioner : Mr.C.D.Johnson

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the second respondent to register the petitioner's complaint dated 28.03.2016 in C.No.118/SDO/Polur/2016 and to investigate the same in accordance with law.

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

3. It is seen that on the earlier complaint given by the petitioner, a regular FIR was registered in Crime No.237 of 2014 and the opposite party Naveen Kumar was arrested by the

Police. At the time of bail application of Naveen Kumar, the petitioner and the opposite party appear to have arrived at a compromise, based on which, bail was granted to Naveen Kumar on 26.06.2014 by the Judicial Magistrate, Polur, Tiruvannamalai District. Now, it is alleged by the petitioner that even after the compromise, the said Naveen Kumar is withholding the car and therefore, a fresh FIR has to be registered.

4. In the considered opinion of this Court, the direction as prayed for cannot be issued to the second respondent police and it is open to the petitioner to work out his remedy in the manner known to law.

With the above direction, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ds

To:

1. The Deputy Superintendent of Police,
Polur,
Tiruvannamalai District.
2. The Inspector of Police,
Chetpet Police Station,
Tiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.D.Johnson, Advocate, S.R.No.50762

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SCD(CO)
CA(16/09/2016)