

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.198 of 2016

Sivaraj

... Petitioner

Vs

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
2. The Deputy Superintendent of Police,
Utthukottai Taluk,
Thiruvallur District.
3. The Inspector of Police,
C-3, Arani Police Station,
Thiruvallur District. ... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the third respondent to register the First Information Report based on the complaint dated 23.10.2015 given by the petitioner to the respondents and to file a final report within a time stipulated by this Court.

For Petitioner : Mr.S.Raja

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the third respondent to register the First Information Report based on the complaint dated 23.10.2015 given by the petitioner to the respondents and to file a final report within a time stipulated by this Court.

2. The petitioner is working in the Madras Hard Tools Private Limited Company for the past 13 years without any fundamental rights including P.F. and ESI and also without any safety measures and the petitioner and others are almost working as a bonded labourers. On 22.10.2015, when the petitioner along

with all the employees asked for P.F., ESI, safety measures in their company, at that time the General Manager one Pravaspathy voluntarily presented himself on the spot, where the petitioner was standing and scolded the petitioner unnecessarily in filthy language with an intention to insult and dishonour the petitioner and slapped the petitioner on his cheek in public and pushed the petitioner with his hands. Further the said Pravaspathy also ill-treated the petitioner by mentioning his caste name. Therefore, the petitioner lodged a complaint before the third respondent on 23.10.2015. Though C.S.R.No.126 of 2015 has been assigned on the complaint of the petitioner, no action was 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 this complaint has been lodged as a counter blast to the case registered against the petitioner and others in Crime No.141 of 2015 under sections 141, 147, 294(b) and 506(i) IPC before the third respondent. However, he further submitted that on receipt of the complaint from the petitioner C.S.R.No.126 of 2015 has been assigned and a detailed enquiry was conducted on the complaint given by the petitioner and subsequently, the said complaint was closed. He also produced a copy of the closure report before this Court.

5. In view of the submissions made on either side, as the complaint given by the petitioner has already been closed, nothing survives in this petition and this petition is closed with liberty to the petitioner to work out his remedy in the manner known to law. The second respondent is directed to furnish a copy of the closure report to the petitioner within one week from the date of receipt of a copy of this Order.

vrc

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

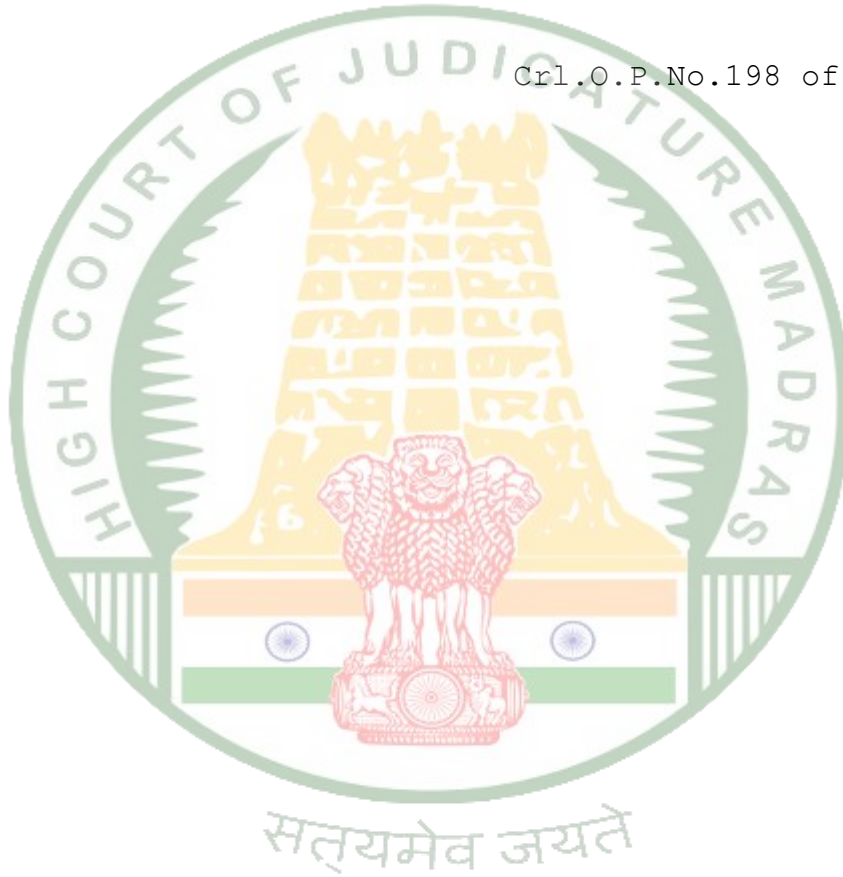
1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.

2. The Deputy Superintendent of Police,
Utthukottai Taluk,
Thiruvallur District.
3. The Inspector of Police,
C-3, Arani Police Station,
Thiruvallur District.
4. The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s.S.Raja, Advocate SR 1049

mp(co)
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