

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 21.11.2016

CORAM:

THE HON'BLE MR. JUSTICE P. VELMURUGAN

CrI.O.P.No.20650 of 2016

V.Murugan

... Petitioner

-vs-

1. The Union Territory of Puducherry represented by The Inspector General of Police Puducherry.
 2. The Superintendent of Police Central Bureau of Investigation Chennai.
 3. The Chief Secretary - cum - Chief Vigilance Officer Union Territory of Puducherry.
- ... Respondents

This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code praying to direct the second respondent police to register the complaint dated 30.11.2015 given by the petitioner and take appropriate actions against the accused persons in accordance with law.

For Petitioner : Mr.J.Suresh
For Respondents 1 & 3 : Mr.V.R.Thangavel
Government Advocate (Puducherry)
For Respondent -2 : Mr.K.Srinivas
Special Public Prosecutor for CBI

O R D E R

The petitioner has filed this Original Petition to direct the second respondent police to register the complaint dated 30.11.2015 given by the petitioner and take appropriate actions against the accused persons in accordance with law.

2. The main contention of the petitioner is that he is working as Sub-Inspector of Police in Puducherry Police Department and he is a strict police officer and due to that, he was in bad books with anti-social elements in the locality. The petitioner has further stated that one Ms.Malarviji had preferred a complaint against him alleging that she got married

with the petitioner and further the petitioner had suppressed his earlier marriage and due to the marriage with the petitioner, she got conceived and the petitioner forced her to abort the child and accordingly, the child was aborted and thus, the petitioner had cheated her and accordingly, a case for the alleged offences under Sections 417 r/w.376, 420, 354-A, 506(i) IPC and 66-A of Information Technology Act in Crime No.9/2014 was registered on the file of CBCID of Puducherry Police. The above said First Information Report was registered on the basis of the false complaint containing defamatory allegations. The petitioner preferred a complaint on 30.11.2015 before the second respondent against the erring officials or police officials in the Puducherry Police Station. The second respondent has not taken any action against the said Malarviji and other police officials, who had colluded with her for their act of forgery and cheating and therefore, the petitioner has come forward with this petition seeking direction to the second respondent to register a case against the erring officials as stated in the petition.

3. The learned counsel for the petitioner would submit that even after giving the complaint on 30.11.2015 before the second respondent, the second respondent has not taken any action against the erring officials and simply forwarded the petition to higher officials. Therefore, the petitioner has filed this petition for direction.

4. The learned Additional Public Prosecutor would submit that after the receipt of the complaint, the second respondent forwarded the same to the superior officials as per the Rules prevailing in Puducherry and he would further submit that the same was placed before the D.I.G. of Police, who had given direction to POP for conducting enquiry and for filing the complete report within 30 days from the date of the direction given by the D.I.G on 18.11.2016.

5. Recording the submission of the learned Additional Public Prosecutor, since the second respondent has taken action on the complaint given by the petitioner dated 30.11.2015 by forwarding the same to the superior officials, and which is now pending with the superior officials for enquiry, this Criminal Original Petition is dismissed.

sd/

Assistant Registrar(CS IV)

/true copy/

Sub Assistant Registrar

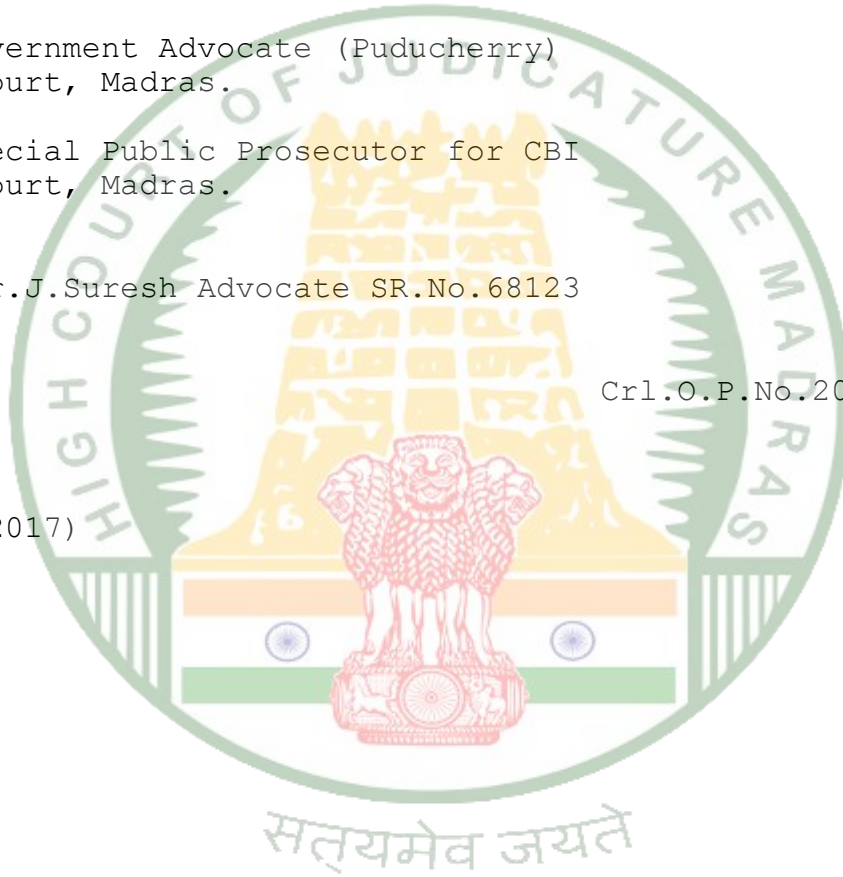
To

- 1.The Inspector General of Police
Union Territory of Puducherry
Puducherry.
- 2.The Superintendent of Police,
Central Bureau of Investigation,
Chennai.
- 3.The Chief Secretary-cum Chief Vigilance Officer,
Union territory at Puducherry.
- 4.The Government Advocate (Puducherry)
High Court, Madras.
- 5.The Special Public Prosecutor for CBI
High Court, Madras.

+1cc to Mr.J.Suresh Advocate SR.No.68123

CrI.O.P.No.20650 of 2016

RP(CO)
GN(07/02/2017)



WEB COPY