

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.390 of 2016

P.Manjamuthu

..Petitioner

/versus/

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

2.The Inspector of Police,  
Thittagudi Police Station,  
Cuddalore District.

..Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the second respondent to register the complaint of the petitioner dated 24.10.2015 and investigate the same in accordance with law.

For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.C.Emalias  
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking a direction to the 2<sup>nd</sup> respondent to register a case based on the complaint of the petitioner, dated 24.10.2015 and investigate the same, in accordance with law.

2.The case of the petitioner is that due to land dispute, on 06.10.2015 at 07.00 p.m., one Rajendran, who is the elder brother of the petitioner, said to have abused the petitioner in a filthy language, threatened him with dire consequences and also assaulted the petitioner on his head with Mummutti kazhi and thereby caused head injury to the petitioner. Immediately, he was admitted in the Government Hospital, Tittagudi. Hence, the petitioner lodged a complaint on 24.10.2015 before the second respondent-police. Since till date no action was taken, the petitioner has filed the present criminal original petition.

3.The learned Additional Public Prosecutor submitted that no proof was attached by the petitioner to show that the petitioner has sustained head injury. Further, he submitted that if the petitioner gives a fresh complaint along with proof, necessary action will be taken.

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

5.In view of the submissions made by the petitioner as well as the Additional Public Prosecutor, this Court directs the petitioner to give a fresh complaint along with a wound certificate within a period of one week from the date of receipt of a copy of this order to the second respondent and on receipt of the same, the second respondent is directed to conduct enquiry and proceed further in accordance with law, as early as possible.

6.This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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

2.The Inspector of Police,  
Thittagudi Police Station,  
Cuddalore District.

3.The Public Prosecutor,  
High Court, Madras.

+1 CC to Mr.M.Velmurugan, SR.No.2067.

Cr1.O.P.No.390 of 2016

CTK(CO)

VS(09.02.2016)