

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.428 of 2016

N.D.Rajasekar

..Petitioner

Vs

1.State rep.by
The Superintendent of Police,
Tiruppur District, Tiruppur.

2.The State rep.by
The Inspector of Police,
Tiruppur Town South Police Station,
Tiruppur.

..Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondents to register the complaint preferred by the petitioner as First Information Report, investigate the matter and to file the final report of investigation before the jurisdictional Judicial Magistrate to take action in C.S.R.NO.786 of 2015, dated 05.11.2015.

For Petitioner : Mr.P.Mohanraj

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 respondents to register a case based on the complaint given by the petitioner, investigate the matter and to file a final report before the concerned Judicial Magistrate.

2.The petitioner lodged a complaint on 29.10.2015 before the second respondent-police as against one K.Murugesan of M/s Sabari Dyeing Fashing on the allegation of assault and cheating the petitioner. On receipt of the complaint given by the petitioner dated 29.10.2015, C.S.R.No.786 of 2015 has been assigned. Thereafter, till date no action was taken by the second respondent-police. Hence, the petitioner has come forward with the present criminal original petition.

3. When the matter is taken up for consideration, the learned Additional Public Prosecutor submitted that based on the complaint given by the petitioner, CSR No.786 of 2015 has been assigned and the matter is pending for enquiry.

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 2nd respondent-Police to conduct enquiry on the basis of the complaint given by the petitioner and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the 2nd respondent is directed to proceed further in accordance with law, as early as possible. If no prima facie case is made out for registering the FIR, the 2nd respondent is directed to pass an appropriate order on the said complaints.

6. This criminal original petition is disposed of accordingly.

Sd/-
Asst. Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

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

2. The Inspector of Police,
Tiruppur Town South Police Station,
Tiruppur.

3. The Public Prosecutor,
High Court, Madras.

1 cc to Mr.P. Mohanraj, Advocate, Sr. 1594

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BVR (CO)
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