

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.01.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Crl.O.P.No.43 of 2016

Selvam

..Petitioner

Vs.,

1.State by

Inspector of Police,
Nangavalli P.S.,
Mettur Taluk,
Salem District.

2.The Superintendent of Police,
Salem District.

...Respondents

Prayer: Petition filed under Section 482 of the Criminal Procedure Code praying to direct the respondent police (Inspector of Police, Nangavalli Police Station), Salem District to register the complaint dated 07.12.2015.

For Petitioner : Mr.B.Mahendra Naidu
For Respondents : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed by the petitioner praying to direct the respondent to register a case based on the complaint of the petitioner dated 07.12.2015.

2.The case of the petitioner is that the petitioner and his father along with 13 persons were working as coolies. While so, one Kulandaisamy Gounder came to the petitioner's village viz., Sri Rangavur and asked him to arrange for engaging the workers to work in his quarry stating that he would pay reasonable remuneration for the workers. By saying so, he had taken a tractor and trailer of the petitioner's father viz., Perumal, bearing Regn.No.TN 32 U 6288. As per the promise made by said Kulandaisamy Gounder, the petitioner and other workers worked as bonded labour in the quarry of Kulandaisamy Gounder at Anapalayam for the past 13 months. But, the said Kulandaisamy Gounder has not paid any remuneration as promised by him to them at Sri Rangavur. Further, the petitioner and his father along with 13 labours were wrongfully restrained in the quarry by the said Kulandaisamy Gounder for the past 12 months. The henchmen of the said Kulandaisamy Gounder had beaten the petitioner

along with other workers and moreover the petitioner's father's tractor is also now under the illegal custody of the Kulandaisamy Gounder. Hence, the petitioner lodged a complaint on 07.12.2015 before the second respondent police. On receipt of the complaint of the petitioner, CSR number has been assigned. But, till date no action has been taken. Hence, the petitioner has filed the present criminal original petition.

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

4. The learned Additional Public Prosecutor appearing for the respondents submitted that based on the complaint of the petitioner dated 07.12.2015, C.S.R number has been assigned and the same is pending for enquiry.

5. In view of the submissions made on either side, this Court directs the 1st respondent to conduct enquiry on the complaint of the petitioner dated 07.12.2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the 1st respondent is directed to proceed further in accordance with law, as early as possible.

6. The criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Nangavalli Police Station,
Mettur Taluk,
Salem District.

2. The Superintendent of Police,
Salem District.

3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.43 of 2016

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