

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.4340 of 2016

S.Manohar

.. Petitioner

Vs.

The Superintendent of Police,
Kanchipuram S.P.Office,
Kanchipuram District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to issue direction, directing the respondent to register the complaint dated 27.11.2015, and initiate legal action acting in accordance with law.

For Petitioner : Mr.M.K.Yukanth

For Respondent : Mr.C.Emalias

Addl. Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction to the respondent police to register a case pertaining to the petitioner's complaint dated 27.11.2015.

2.The learned counsel for the petitioner submitted that the complaint has been given by the petitioner on 27.11.2015 through speed post. But the respondent police has not taken any steps to enquiry the matter and register the case. Hence, the petitioner has come forward with this petition for the above stated relief.

3.At this juncture, the learned Additional Public Prosecutor, on instructions, would submit that the petitioner has given a complaint before the Superintendent of Police, he in turn transferred the same to the Inspector of Police, Maraimalai Nagar Police Station for enquiry and the petitioner further wants to transfer the case to the Deputy Superintendent of Police, Food Cell for enquiry. He further submitted that the petitioner is not co-operating for enquiry and hence, the complaint was closed. Hence, he prayed for dismissal of the petition.

4. Considering the rival submissions made by both sides, the petitioner has given a complaint before the Superintendent of Police on 27.11.2015 and through speed post on 04.12.2015. But the Superintendent of Police is not a competent person to register a case. Even the Superintendent of Police transferred the case to the Inspector of Police, Maraimalai Nagar Police Station, at that time, the petitioner appeared and he has not co-operated for enquiry and hence, the complaint was closed. Further the competent authority has not been impleaded. Hence, I do not find any reason for ordering for further enquiry and therefore, the Criminal Original Petition deserves to be dismissed as devoid of merits.

5. In the result, the Criminal Original Petition is dismissed.
kkd

s/d-

Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Kanchipuram S.P.Office,
Kanchipuram District.
2. The Public Prosecutor
High Court, Chennai.

mp(co)
prk31/3

CrI.O.P.No.4340 of 2016

सत्यमेव जयते

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