

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

CrI.O.P.No.5293 of 2016

P.Sekar

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Veppur Police Station,
Cuddalore District.

.... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to issue direction to the respondent police to register the F.I.R. on the petitioner's complaint dated 27.10.2015.

For Petitioner : Mr.S.Saravana Kumar

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the respondent police to register the F.I.R. on the petitioner's complaint dated 27.10.2015.

2.The learned counsel for the petitioner submitted that on 27.09.2015 when the petitioner's son Rajkumar and his friend one Thirunavukkarasu were proceeding from Vridhachalam to Salem Main Road in a two wheeler, a Eicher Lorry bearing Registration No.TN 34 U 1639 came in a rash and negligent manner and dashed against the two wheeler and both of them sustained serious injuries. They both were taking treatment from 27.09.2015 to 26.10.2015 and they were discharged from the hospital on 27.10.2015. Immediately, the petitioner lodged a complaint to the respondent police. But, no action was taken. Hence, he once again gave a complaint on 29.02.2016. But, the respondent has not shown any interest to enquire 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 respondent has not received the complaint.

4.Considering the rival submissions made on both sides, this Court directs the petitioner to give a fresh complaint along with all relevant documents and on receipt of the same, the respondent is directed to enquire the matter and follow the dictum laid down in Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC)] and register a case, if any cognizable offence is made out.

5.With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Veppur Police Station,
Cuddalore District.

2.The Public Prosecutor
High Court, Madras.

+lcc to Mr.S.Saravana kumar, Advocate Sr.25227

सत्यमेव जयते

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ak(CO)
srg(17/05/2016)

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