

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

CrI.O.P.No.5539 of 2016

Poongodi

.. Petitioner

Vs.

1.The Inspector of Police
Anthiyur police station
Anthiyur, Erode District.

2.The Superintendent of Police
Erode District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to register a case based on the petitioner's complaint dated 18.02.2016 and to investigate the same in accordance with law.

For Petitioner :Mr.M.Gnanasekar

For Respondents :Mr.C.Emalias
Addl. Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction to the first respondent to register a case pertaining to the petitioner's complaint dated 18.02.2016 and investigate the same in accordance with law.

2.The learned counsel for the petitioner submitted that the alleged occurrence said to have taken place on 17.02.2016 and the petitioner has lodged a complaint before the respondents on 18.02.2016. But the respondents have 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 on the basis of the complaint given by one Valarmathi, a case in Crime No.110 of 2016 has been registered for the offences under Sections 147, 294(b) and 323 IPC. He would further submit that one Rathna, who is the opposite party, has lodged a complaint, on that basis, a

case in Crime No.109 of 2016 has been registered for the offences under Sections 147, 294(b) and 323 IPC. So there is no necessity to register the petitioner's complaint for the same occurrence. Therefore, he prays for dismissal of the petition.

4.The said submission made by the learned Additional Public Prosecutor is recorded. Both the case and counter case have been registered in Crime Nos.109 and 110 of 2016 on the basis of the complaints lodged by Rathna and Valarmathi respectively in respect of the alleged occurrence, which said to have taken place on 17.02.2016. Furthermore, the said Valarmathi belongs to the petitioner's group. Under such circumstances, there is no necessity to register the petitioner's complaint for the same occurrence. The Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police
Anthiyur police station
Anthiyur, Erode District.

2.The Superintendent of Police
Erode District.

3.The Public Prosecutor
High Court, Chennai.

+1cc to Mr.M.Gnanasekar, Advocate, S.R.No.16530

Crl.O.P.No.5539 of 2016

skv(CO)
srg(22/03/2016)

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