

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

CrI.O.P.No.5585 of 2016

M.Srinivasan

.. Petitioner

Vs.

State rep. by
The Sub-Inspector of Police
Sipcot police station
Ranipet, Vellore District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to register a case based on the petitioner's complaint dated 04.10.2015 and to file a final report.

For Petitioner :Mr.P.Subramani

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 to register a case pertaining to the petitioner's complaint dated 04.10.2015 and to file a final report before this Court within a stipulated time fixed by this Hon'ble Court.

2.The learned counsel for the petitioner submitted that the alleged occurrence said to have taken place on 04.10.2015 in respect of playing cricket in the housing board ground. So the petitioner has lodged a complaint before the respondent on 04.10.2015. Even though the respondent has received the complaint, he has not shown any interest to enquire the matter and register the case. Therefore, the petitioner has given another complaint before the respondent on 26.10.2015. Since the respondent has not taken any steps to enquire the matter, 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 one Manikandan has given the complaint for the same occurrence and after due investigation, a case has been registered in Crime No.323 of

2015 for the offences under Sections 294(b), 323, 342 and 506(i) IPC, in which, the petitioner herein has been added as A2. Only thereafter, the petitioner has given the present complaint on 26.10.2015. Therefore, he prays for dismissal of this petition.

4. Heard both sides and perused the typed set of papers.

5. Considering the aforesaid facts and circumstances of the case, the petitioner has been arrayed as A2 in Crime No.323 of 2015, which has been registered for the same occurrence said to have taken place on 04.10.2015. But there is no iota of evidence before this Court to show that the petitioner has sent a complaint on 04.10.2015. So the petitioner has given the complaint only on 26.10.2015. Since the case has already been registered in Crime No.323 of 2015 for the same occurrence, the present complaint lodged by the petitioner is only a counter blast. Under such circumstances, I do not find any reason to allow this petition. The Criminal Original Petition deserves to be dismissed and it is hereby dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Sub-Inspector of Police
Sipcot police station
Ranipet, Vellore District.

2.The Public Prosecutor
High Court, Chennai.

+lcc to Mr.P.Subramani, Advocate, S.R.No.16834

Cr1.O.P.No.5585 of 2016

vd(CO)
srg(23/03/2016)