

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.576 of 2016

R.Sakthivel

... Petitioner

Vs

- 1.The State
by the Superintendent of Police,
Villupuram District.
- 2.The Deputy Superintendent of Police,
Kallakurichi Post and Taluk,
Villupuram District.
- 3.The Inspector of Police,
Chinnasalem Police Station,
Villupuram District.

.... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the first respondent police to register the complaint under Sections 147, 148, 294(b), 307 R/W 34 of I.P.C based on the petitioner's complaint dated 13.09.2015 to the third respondent police and representations sent by the petitioner's brother one Chinnadurai.

For Petitioner : Mr.P.Rajavel

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor.

WEB COPY
O R D E R

The present petition has been filed to direct the first respondent police to register the complaint for the offence under sections 147, 148, 294(b), 307 R/W 34 of I.P.C based on the petitioner's complaint dated 13.09.2015 to the third respondent police and representations sent by the petitioner's brother one Chinnadurai.

2. The petitioner is the member of Vanniyar Association. On 12.09.2015 at about 8 p.m., the Vanniyar Association organised a meeting. In the said meeting, the accused persons, namely Muthaiyan, Kumaravel, Govindhan, Ramachandran, Perumal, ganesan, Annamalai, Veeramani, Prabakaran and others, in one voice, asked to remove the name of one Chinnadurai who is the brother of the petitioner, from the Vanniyar Association. Thereafter, the said accused persons with common intention, not allowed the petitioner and his brother to attend the temple functions. The said persons unlawfully committed the act of riot, armed with deadly weapons and also attacked the petitioner and his brothers. Hence, the petitioner preferred a complaint dated 13.09.2015. Since no action was taken so far, the present petition has been filed.

3. Learned Additional Public Prosecutor submitted that if a fresh complaint along with the wound certificate is given to the 3rd respondent, necessary action will be taken.

4. In view of the submission made by the learned Additional Public Prosecutor, this Court directs the petitioner to give a fresh complaint along with a copy of the wound certificate and a copy of this order to the 3rd respondent police. On receipt of the same, the 3rd respondent police is directed to conduct an enquiry on the complaint given by the petitioner and upon enquiry, if the materials are gathered indicating any cognizable offence, he is directed to proceed further in accordance with law as early as possible.

5. The criminal original petition is disposed of accordingly.

-s/d-
Assistant Registrar (CSIII)

True Copy

Sub-Assistant Registrar

vsi
To

1. The Superintendent of Police,
Villupuram District.

WEB COPY

2.The Deputy Superintendent of Police,
Kallakurichi Post and Taluk,
Villupuram District.

3.The Inspector of Police,
Chinnasalem Police Station,
Villupuram District.

4.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.P.Rajavel, Advocate sr.2371

Cr1.O.P.No.576 of 2016

ksj (co)
aa22/01/2016



WEB COPY