

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

CrI.O.P.No.7208 of 2016

V.Asokan

... Petitioner

Vs.

1.The Additional Director
General of Police
Law and Order,
Mylapore, Chennai - 600 004.

2.The Superintendent of Police
Namakkal District,
Namakkal.

3.The Additional Superintendent of Police
Prohibition & Excise Department,
Namakkal District,
Namakkal.

4.Inspector of Police
Town Police Station
Namakkal.

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to issue direction to the respondents to register the FIR based on the petitioner's complaint dated 07.05.2015 and report of the third respondent dated 23.09.2015.

For Petitioner : Mr.C.Prabakaran

For Respondents: Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the respondents to register the F.I.R. based on the petitioner's complaint dated 07.05.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent police on 07.05.2015, 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 earlier this petitioner has lodged a complaint on 19.04.2014 and it was assigned C.S.R.No.189 of 2014 and enquiry was conducted and the occurrence is said to have taken place within the jurisdiction of Trichy, but Baskaran, the Inspector of Police, Namakkal has issued C.S.R., as if the occurrence is said to have taken place in Nala Hotel in Namakkal. In the document tendered, it was stated that it is civil dispute. Hence, it was closed with direction to take action against the Inspector of Police, Namakkal. Even now, the petitioner has come forward with this application before the Namakkal jurisdiction. Hence, he prayed for the dismissal of the petition.

4.Considering the rival submissions made on both sides, since the alleged occurrence is said to be taken place in Trichy and on the basis of the complaint given by the petitioner enquiry has been conducted and enquiry report also finds place in page nos.12 to 22 of the typed set of papers, considering the same and recording the same, this Court feels that this petition deserves to be dismissed. Hence, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to approach the appropriate forum.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Additional General of Police
Law and Order, Mylapore,
Chennai - 600 004.
- 2.The Superintendent of Police
Namakkal District,
Namakkal.
- 3.The Additional Superintendent of Police
Prohibition & Excise Department,
Namakkal District, Namakkal.
- 4.The Inspector of Police
Town Police Station, Namakkal.
- 5.The Public Prosecutor
High Court, Madras.

+ 1 cc to MR.C. Prabakaran, Advocate Sr.25010

CrI.O.P.No.7208 of 2016

SVI (CO)
Eu 06.05.2016