

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.7575 of 2016

A.Krishnamoorthy

.. Petitioner

Vs.

1.The Commissioner of Police,
O/o.Commissioner of Police,
Coimbatore District,
Coimbatore - 641 018.

2.The Inspector of Police,
B-12 Ukkadam Police Station,
Coimbatore.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to register the case based on the petitioner's complaint dated 06.03.2015 and subsequently direct the respondent to enquire the case within a stipulated time fixed by this Court.

For Petitioner : Mr.M.Mariappan

For Respondents : 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 06.03.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 06.03.2015. He would also submit that he has already filed a petition in Crl.o.P.No.753 of 2016 and at that time, the learned Additional Public Prosecutor had represented that on the basis of the complaint given by the petitioner, a case in Crime No.482 of 2012 has already been registered in respect of misappropriation of the amount and not for the occurrence said to have taken place on 06.02.2012. Hence, the petitioner has come forward with this petition for the above stated relief.

3.At this juncture, the learned Additional Public Prosecutor would submit that the petitioner has come forward with this petition belatedly. He would submit that on the basis of the complaint given by the petitioner, already case has been registered in Crime No.482 of 2012 and they are not competent to state as to whether the minutes is true and genuine. He would also submit that the petitioner has approached the District Registrar and they have also conducted an enquiry and closed the same. Therefore, nothing survives in this petitioner and hence, he prayed for dismissal of the petition.

4.Considered the rival submissions made by both sides and perused the typed set of papers.

5.A complaint has been given by the petitioner on 06.03.2015 for the alleged occurrence said to have taken place on 06.02.2012 stating that he was not permitted to sign in the minutes. But admittedly in the Minutes the petitioner's posting has been withdrawn accepting the resignation. Further, the petitioner has given a representation before the District Registrar on 17.09.2014, but he has given a complaint before the respondent police only on 06.03.2015. In such circumstances, I do not find any reason to give direction to the respondent police to register the case. Hence, the Criminal Original Petition is dismissed.

cse

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The Commissioner of Police,
O/o.Commissioner of Police,
Coimbatore District,
Coimbatore - 641 018.

2.The Inspector of Police,
B-12 Ukkadam Police Station,
Coimbatore.

3.The Public Prosecutor
High Court, Chennai.

rsk(co)
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Cr1.O.P.No.7575 of 2016