

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.8279 of 2016

K.R.Sivadesigan

.. Petitioner

Vs

1.The State : represented by  
Inspector of Police,  
B.10, Selvapuram Police Station,  
Selvapuram,  
Coimbatore - 641 026.

2.The Commissioner of Police,  
Coimbatore - 18. .. Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the first respondent to register the complaint dated 16.12.2008 and 17.11.2012 and investigate according to law.

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

O R D E R

This Criminal Original Petition has been filed to direct the first respondent Police to register the complaint dated 16.12.2008 and 17.11.2012, given by the petitioner and to investigate the same.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. It is seen that this petitioner has lodged a complaint dated 16.12.2008, in which, petition enquiry was conducted in CSR.No.116 of 2008. Thereafter, this petitioner has sent another representation dated 17.11.2012.

4. The learned Additional Public Prosecutor submitted that the first complaint given by the petitioner is of the year 2008 and the reminder is of the year 2012 and that the records, which are more than three years old are not available in the police station.

5. This submission of the learned Additional Public Prosecutor cannot be rejected. It is also seen that this petitioner has

filed a suit in O.S.No.1222 of 2008 against the opposite parties, which was dismissed on 13.10.2014 by the learned III Additional District Munsif, Coimbatore.

6. Under such circumstances, this Court cannot issue a positive direction to the first respondent-Police to register an FIR, on the complaint dated 16.12.2008 and the representation dated 17.11.2012.

Hence, this Criminal Original Petition is dismissed with liberty to the petitioner to work out his remedy in the manner known to law.

Sd/-  
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

1.The Inspector of Police,  
B.10, Selvapuram Police Station,  
Selvapuram,  
Coimbatore - 641 026.

2.The Commissioner of Police,  
Coimbatore -18.

3.The Public Prosecutor,  
High Court, Madras.

+1 cc to Mr.C.Deivasigamani, Advocate, SR.35681.

ks(co)  
krd 14/7

सत्यमेव जयते

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