



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2016

WEB COPY

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Cr1.O.P. (MD) No.16199 of 2016

Dr.K.S.Karthick

.. Petitioner

Vs.

1.The Superintendent of Police,
Pudukottai,
Pudukottai District.

2.The Deputy Superintendent of Police,
Keeranur,
Pudukottai District.

3.The Inspector of Police,
Veeralimalai Police Station,
Keeranur Taluk,
Pudukottai District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondents to investigate into the complaint dated 09.06.2016 and 02.08.2016 made by the petitioner along with the F.I.R. in Crime No.186 of 2016 on the file of the 3rd respondent police and to file the final report in accordance with law.

For Petitioner	: Mr.Ajmal Khan Senior Counsel for Ajmal Associates
For Respondents	: Mr.A.P.Balasubramani Government Advocate. (Criminal Side)

ORDER

It is an application seeking a direction to investigate into the complaints dated 09.06.2016 and 02.08.2016 preferred by the petitioner along with the F.I.R. in Crime No.186 of 2016 on the file of the third respondent police and to file the final report in accordance with law.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) for the respondents.



3.The learned Senior Counsel appearing for the petitioner submitted that in respect of an accident, there had been two complaints, one is preferred by the petitioner, who has driven a car and the other is preferred by one Kumar, who has driven a two wheeler. The complaint given by the driver of the two wheeler has been registered in Crime No.186 of 2016.

4.The grievance of the petitioner is that even though the complaint given by the petitioner is not registered, his complaint must be regarded as a statement under Section 161(3) Cr.P.C., and it should be part of the investigation to be conducted by the respondents in Crime No.186 of 2016. That is the procedure to be followed and the petitioner is right in arguing for such a relief, which is also accepted by the learned Government Advocate (Crl. Side), for the respondents.

5.Under such circumstances, the third respondent shall proceed with the investigation in Crime No.186 of 2016, after treating the complaint of the petitioner as a statement recorded under Section 161(3) Cr.P.C.

6.With the above direction, this Criminal Original Petition is disposed of.

Sd/
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Pudukottai, Pudukottai District.
- 2.The Deputy Superintendent of Police,
Keeranur, Pudukottai District.
- 3.The Inspector of Police,
Veeralimalai Police Station,
Keeranur Taluk, Pudukottai District.
- 4.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+1 cc to MR.V.NIRMALKUMAR, Advocate Sr.No.49882

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