



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2016

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CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.2852 of 2016

Abin

... Petitioner

vs.

The State rep. By

1. The Superintendent of Police,
Nagercoil, Kanyakumari District.

2. The Sub-Inspector of Police,
Karungal Police Station,
Kanyakumari District.

... Respondents

PRAYER:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent to instruct the second respondent to register the petitioner's complaint dated 06.02.2016 and investigate the case in accordance with law.

For Petitioner : Mr.R.Russel Raj

For Respondents : Mr.K.V.Rajarajan
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the first respondent to instruct the second respondent to register the petitioner's complaint dated 06.02.2016 and investigate the case in accordance with law.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate(Crl.Side) appearing for the State.

3. On a reading of the complaint dated 06.02.2016 it is seen that an accident took place on 10.12.2015 in which a case in Cr.No.687 of 2015 for the offences under Sections 279 and 337 has been registered by the respondent police against this petitioner, who has been made as an accused. Thereafter as an after thought, this petitioner has given a representation dated 06.02.2016 alleging that he saved the victim and that he should not have been made as an accused. With respect to that, the learned Counsel for the petitioner has produced a copy of order made in Crl.O.P.No.10041 of 2015 passed by this Court on 08.06.2015. The said order has been passed on the premise of police standing orders where a provision is made in respect of a case and counter case normally happened in villages, where two parties beat each other. That cannot be applied to the case on hand. However, the respondent police is directed



to consider the representation dated 06.02.2016 while conducting investigation.

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

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Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.
2. The Sub-Inspector of Police,
Karungal Police Station,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.R.RUSSEL RAJ, ADVOCATE IN SR NO. 9653

SSL

TE/NGM-SS/ : 04/03/2016 : 2P/5C

Cr1.O.P(MD)No.2852 of 2016
18.02.2016