



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.6590 of 2016

Sobhana

... Petitioner

vs.

1.The Superintendent of Police
Sivagangai District

2.The Inspector of Police
Sivagangai Police Station
Sivagangai District

... Respondents

PRAYER: This petition is filed under Section 482 Cr.P.C., to direct the second respondent to register the complaints given by the petitioner, dated 16.03.2016 and 06.04.2016 and take necessary action within the time stipulated by this Court.

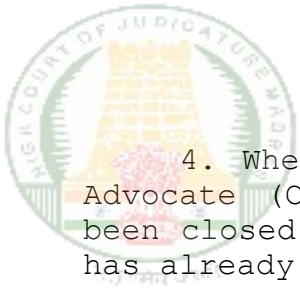
For Petitioner :Mr.K.P.Ramesh
For Respondents :Mrs.S.Prabha, G.A.(Crl.Side)

O R D E R

The petitioner has filed this criminal original petition, under Section 482 of the Code of Criminal Procedure, seeking direction upon the second respondent to register a case, based on her complaints, dated 16.03.2016 and 06.04.2016 and take necessary action within a stipulated period.

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

3. It is seen that a motor vehicle accident took place on 14.03.2016, in which the petitioner's husband, by name, Somasundaram, suffered injuries and was admitted in the Government Hospital at Sivagangai and thereafter he was referred to the Government Rajaji Hospital at Madurai. On the complaint lodged by the driver of the lorry, by name, Backiam, on 14.03.2016, the respondent Police registered a case, in Crime No.167 of 2016, under Sections 279 and 337 I.P.C., against the said Somasundaram for rash and negligent driving. The petitioner lodged a complaint, dated 16.03.2016, alleging that her husband Somasundaram is a victim in the road accident that took place on 14.03.2016 and since the respondent Police did not take any action on her complaint, dated 16.03.2016, she sent another complaint, dated 06.04.2016, to the respondent Police by registered post.



4. When the matter is taken up for hearing, the learned Government Advocate (Criminal Side) submitted that the petitioner's complaint has been closed after conducting due enquiry and a copy of the closure report has already been sent to the petitioner.

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5. It is trite that once F.I.R., was registered, for the same incident a second F.I.R., cannot be registered. Under such circumstances, the respondent Police is directed to thoroughly conduct the investigation in Crime No.167 of 2016, and take action in accordance with law.

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

Sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar.

To

1.The Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Sivagangai Police Station,
Sivagangai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S.K.P.Ramesh, Advocate, SR.No. 23267

Cr1.O.P.(MD) No.6590 of 2016
25.04.2016

AM/SS/11.05.2016/2P/5C