



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P.(MD)No.7297 of 2016

A.Periyasamy

.. Petitioner

Vs.

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

2. The Inspector of Police,
Annavasal Police Station,
Annavasal,
Pudukottai District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the 2nd respondent to register the case based upon the petitioners complaint dated 12.04.2016.

For Petitioner : Mr.V.Selva

For Respondents : Mr.A.P.Balasubramani,
Government Advocate (Criminal side)

ORDER

It is an application seeking a direction to the second respondent to register a case based on the petitioner's complaint dated 12.04.2016.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

3.The sum and substance of the complaint of the petitioner is that due to money dispute, the proposed accused entered into the house of the petitioner and attacked him. Hence the petitioner has given a complaint to the respondents. Since action has not been taken, the petitioner is before this Court.



4.The learned Government Advocate (Crl.side) for the respondents would submit that already both parties were enquired and they have been directed to approach the civil Court for appropriate remedy.

5.The learned counsel for the petitioner would submit that summon is issued to the complainant/petitioner herein, whereunder he has been directed to appear before the respondent police on 04.06.2016, but whereas, the statement produced before this Court shows that the petitioner as complainant has been examined even on 03.06.2016. Therefore, when the summon has been issued directing the complainant to appear on 04.06.2016, the so called statement recorded on 03.06.2016 cannot be a true statement.

6.Under such circumstances, the second respondent is directed to consider the complaint dated 12.04.2016, cause fresh enquiry and to pass appropriate orders.

7.This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
Pudukottai District, Pudukottai.
2. The Inspector of Police,
Annavaasal Police Station,
Annavaasal, Pudukottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.V.Selva, Advocate, Sr.No.29828
mj/ar
JM/KBM/27.06.2016/2P-5C

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