



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.13787 of 2017

Mohan

: Petitioner

-Vs-

1. The State represented by
The Commissioner of Police,
Tirunelveli District.
2. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli.

: Respondents

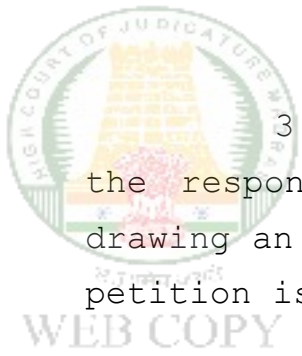
PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, praying to direct the second respondent to register the petitioner's complaint dated 03.06.2017 as an F.I.R. within the stipulated period as prescribed by this Hon'ble Court.

For Petitioner : Mr.P.Samuel Gunasingh
For Respondents : Mr.K.S.Durai Pandian
Additional Public Prosecutor

O R D E R

This petition is filed for issuing a direction to the second respondent to register the petitioner's complaint dated 03.06.2017.

2.The case of the petitioner is that he preferred a complaint as against the proposed accused who have committed offences punishable under Sections 294(b) and 506(ii) I.P.C. and under the provisions of Scheduled Castes / Scheduled Tribes (Prevention of Atrocities) Act.



3. The learned Additional Public Prosecutor appearing for the respondents submitted that the complaint has been closed by drawing an action drop report on 17.08.2017 and that therefore, this petition is not maintainable.

4. Having regard to the averments in the complaint, this Court is also of the view that the complaint does not disclose offences under Section 294(b) or 506(ii) I.P.C. Except stating that the proposed accused are threatening the petitioner and that they have used filthy language, the complaint does not disclose the offence punishable under Section 294(b) or 506(ii) I.P.C. or under the provisions of SC/ST (POA) Act. Hence, this Criminal Original Petition is closed. However, having regard to the fact that the closure report is stated to have been drawn, this Court is of the view that the petitioner may be given an opportunity to file a protest petition. The learned Additional Public Prosecutor is directed to furnish a copy of the report to the learned counsel for the petitioner in the course of the day.

Sd/-
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Tirunelveli District.
2. The Inspector of Police,
Perumalpuram Police Station, Tirunelveli.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.P.SAMUEL GUNASIGH, Advocate SR.No.85877.

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