



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:09.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.9573 of 2017

WEB COPY

Kannan

... Petitioner /Defacto
Complainant

-Vs-

1. The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.

2. The Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.

In Crime No.390 of 2017.

... Respondents /Complainants

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, directing the 2nd respondent Police to secure the accused No.3 in Crime No.390 of 2017 on the file of the 2nd respondent Police dated 24.04.2017 and take appropriate action in accordance with law.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondents : Mr.K.S.Duraipandian
Additional Public Prosecutor

O R D E R

This Criminal Original petition is filed for a direction to the second respondent police to secure the accused No.3 in Crime No.390 of 2017 and take appropriate action in accordance with law.

2.The petitioner is the de-facto complainant and he gave a complaint against three persons and a case was registered in Crime No.390 of 2017 for offences under Sections 294(b), 323 and 506(i) of I.P.C.

3.It is stated that the accused Nos.1 and 2 have obtained anticipatory bail before the Principal Session Judge, Theni. Stating that one Govindan, who was arrayed as accused No.3 in the Criminal complaint, wrongly restrained the petitioner and threatened, compelling the petitioner to withdraw the case, the petitioner has come forward with the present petition to arrest the third accused in Crime No.390 of 2017.



4. The learned Additional Public Prosecutor appearing for the respondent police has stated that a charge sheet has already been filed and the third accused has absconded.

5. The reason stated by the petitioner for arresting one of the accused is not acceptable. If the appearance of the petitioner is required, it is open to the petitioner to move the Trial Court for appropriate orders so that the Criminal case can be tried and disposed of without any delay.

6. With the above direction, the Criminal Original petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Theni District.
2. The Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.

Sss/mm

MK/KK/SAR-3/25.10.2017/2P/3C

CRL.O.P. (MD) No. 9573 of 2017
09.10.2017