



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL O.P.(MD) No.9845 of 2017

WEB COPY

B.Kanstan

... Petitioner

Vs.

- 1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 2.The Inspector of Police,
Manavalakurchy Police Station,
Nagercoil,
Kanyakumari District.
- 3.The Sub-Inspector of Police,
Manavalakurchy Police Station,
Nagercoil,
Kanyakumari District.

... Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure, to direct the 3rd respondent to conduct the Preliminary Enquiry and take appropriate action on the basis of the complaint given by the statement from the petitioner in Government Hospital Petition No.243/2017, dated 08.07.2017 as per verdict of the Apex Court in Lalitha Kumari Vs. the State of Uttarpradesh.

For Petitioner : Mr.K.Ramamoorthy
For Respondents : Mr.K.Anbarasan,
Government Advocate (Crl.Side)

* * *

ORDER

This petition has been filed seeking a direction to direct the third respondent to conduct Preliminary Enquiry and take appropriate action on the basis of the complaint given by the petitioner on 08.07.2017.

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

3.The learned counsel for the petitioner stated that, on 07.07.2017, there was a quarrel between the petitioner and some persons. As a result the petitioner was assaulted. The petitioner stated that thereafter, a complaint was given before the third respondent and he has also obtained a wound certificate



issued by the Government hospital on 08.07.2017. It is on the basis of the wound certificate, the petitioner states that the respondent police failed to register a complaint and take appropriate action.

4. The learned Government Advocate (Criminal Side), on instructions, submitted that the petitioner's complaint was enquired and the original complaint submitted by the petitioner is not correct as it was produced in the typed set. It can be seen that the complaint, which was filed by the petitioner in the typed set is 14.07.2017. From the original complaint, it can be seen that the representation dated 14.07.2017 is an improved version. The learned Government Advocate (Criminal Side) appearing for the respondents further submitted that the respondent has closed the complaint after the Preliminary Enquiry.

5. In such circumstances, this Criminal Original Petition is closed. However, liberty is given to the petitioner to workout his remedy in the manner known to law.

Sd/-

Assistant Registrar (CS-II)

/Truecopy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Kanyakumari District, Nagercoil.
2. The Inspector of Police,
Manavalakurthy Police Station,
Nagercoil, Kanyakumari District.
3. The Sub-Inspector of Police,
Manavalakurthy Police Station,
Nagercoil, Kanyakumari District.

+1cc to M/S.K.RAMAMOORTHY, Advocate SR.No.70719

cmr/lis

MAS/KP/SAR2:24.08.2017:2P-5C

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