

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.02.2018
CORAM
THE HONOURABLE MR.JUSTICE M.S. RAMESH
Crl.O.P.No.3955 of 2018

Kolanji

..Petitioner

Vs.

1.State rep.by
Superintendent of Police
Cuddalore.

2.The Inspector of Police
Ramanatham Police Station
Cuddalore.

..Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent to consider the representation of the petitioner dated 05.02.2018 to look into allegation in accordance with law.

For Petitioner : Mr.M.Velmurugan

For Respondents : Mrs.Krithika Kamal.P
Government Advocate (Crl.Side)

ORDER

The prayer sought for in the present petition is to direct the first respondent to consider the representation of the petitioner dated 05.02.2018 to look into allegation in accordance with law.

2. The petitioner complaint dated 21.01.2018, came to be closed on 27.01.2018. The present petition is for a direction to initiate action against the respondent Police for wrongfully closing the complaint.

3. The learned counsel appearing for the petitioner submitted that the respondent Police had taken the signature of the petitioner on a blank paper and by utilizing the same, they had closed the petitioner complaint. The learned counsel further submit that on 26.12.2017, certain named persons had attacked the petitioner and his wife owing to which the petitioner had sustained injuries and was admitted in the hospital from 26.12.2017 to 29.12.2017.

4. It is in this connection that, he had given a complaint. On a perusal of the complaint, it is clearly seen that cognizable offence had been made out and the second respondent was not justified in closing the complaint.

5. Though, the petitioner sought for a direction to dispose of the representation given to the first respondent, seeking action against the second respondent herein, in my view, ends of justice, would be met, if the petitioner is given another opportunity of pursuing the original complaint by directing the Police to enquire and investigate the same.

6. In the result, the closure reported dated 27.01.2018 based on the petitioner's complaint dated 20.01.2018 is set aside. The first respondent shall appoint an Inspector of Police, other than, the second respondent herein, to register the petitioner's complaint dated 21.01.2018, forthwith and conduct appropriate investigation in accordance with law. Such an exercise shall be completed as early as possible. The second respondent is directed to forthwith immediately forward the complaint to the first respondent herein, in any event, within two days from the date of receipt of this order.

7. Accordingly, the Criminal Original Petition is allowed.

//True Copy//

Sd/-
Deputy Registrar

Sub Assistant Registrar

dna

To

1.The Superintendent of Police
Cuddalore.

2.The Inspector of Police
Ramanatham Police Station
Cuddalore.

+1 CC to Mr.M. Velmurugan, Advocate sr 15060(12/03/2018)

CRL.O.P.No.3955 of 2018

aa12/03/2018