

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM
CRL.O.P.No.21962 of 2018

M.Praveen

...Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Coimbatore.

2.The Deputy Superintendent of Police,
O/o.The Superintendent of Police,
Pollachi.

3.The State Rep. by
The Inspector of Police,
Taluk Police Station,
Pollachi.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register the petitioner's report dated 27.07.2018 made to 3rd respondent and consequently to investigate the same in accordance with law.

For Petitioners :Mr.B.Thirunavukkarasu

For Respondents :M/s.M.Prabhavathi
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the third respondent to register a case based on the complaint given by the petitioner dated 27.07.2018.

2. The learned counsel for the petitioner has submitted that on 03.07.2018 when the petitioner was travelling in a bike at Kullakkapalayam in the Coimbatore - Pollachi main road, one Bolero jeep bearing registration No.TN-57 AQ-9950 was driven by its driver in a rash and negligent manner and dashed against the petitioner and due to the said incident, the petitioner has sustained serious injuries and he was admitted in the private hospital at Pollachi and immediately intimation was also sent to the third respondent, but, the third respondent did not come and get any complaint from the petitioner. He further submitted that subsequently, the petitioner has lodged a complaint before the third respondent on 27.07.2018 and even thereafter, no

action has been taken. He further submitted that based on the complaint given by the driver of the aforesaid Bolero jeep, the third respondent has registered a case against the petitioner in Crime No.113 of 2018, but, the third respondent refused to register a case based on the complaint given by the petitioner and therefore, he requests to direct the third respondent to register a case based on the complaint given by the petitioner.

3. The learned Public Prosecutor has submitted that the said complaint is still pending for enquiry.

4. Since the petitioner's complaint is a counter complaint, the third respondent has to consider the said complaint and if the said complaint discloses any cognizable offence, he has to register the case and investigate both the matters and file final report in accordance with law.

5. With the aforesaid observations, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

vsa

To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Coimbatore.
- 2.The Deputy Superintendent of Police,
O/o.The Superintendent of Police,
Pollachi.
- 3.The State Rep. by
The Inspector of Police,
Taluk Police Station,
Pollachi.
- 4.The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.B.Thirunavukkarasu, Advocate, S.R.No.63020

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SPD(CO)
rrs 28/09/2018