

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.OP.No.1928 of 2018

Apostolic Gospel Church
Rep. by Pastor M.Mickael,
S/o. Machalamuther,
No.11, Gandhi Nagar,
Thammampatty, Gangavalli Taluk,
Salem District. ... Petitioner

Vs

1. State by Inspector of Police,
Thammampatty Police Station,
Thammampatty Post,
Gangavalli Taluk,
Salem District.
2. District Superintendent of Police,
Office of District Superintendent of Police,
Salem.
3. The Director General of Police,
DGP Office,
No.1, Dr.Radhakrishnan Road,
Mylapore, Chennai - 600 004. ... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.PC, praying to direct the respondents to provide adequate police protection to the Sunday prayer services to the Apostolic Gospel Church situated at Gandhi Nagar, Thammampatty, Gangavalli Taluk, Salem District and take suitable legal action by the police protection against the persons who committed vandalism and attack on the church members on 05.11.2017 based on the complaint dated 05.11.2017 and 07.11.2017.

For Petitioner : M/s.P.Arasan

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

O R D E R

The prayer sought for in the present petition is to provide adequate police protection to the Sunday prayer services to the Apostolic Gospel Church situated at Gandhi Nagar, Thammampatty, Gangavalli Taluk, Salem District and take suitable legal action by the police protection against the persons who committed vandalism and attack on the church members on 05.11.2017 based on the complaints dated 05.11.2017 and 07.11.2017.

2. Today, when the matter was called, the learned Government Advocate(Crl. Side) submitted that the first respondent had not received any complaint in this regard and that if any complaint has been given by the petitioner, the same will be acted upon in accordance with law.

3. In the light of the submissions made by the learned Government Advocate (Crl. Side), the petitioner is directed to give a copy of the complaint dated 05.11.2017 to the first respondent herein and on receipt of such an application, the first respondent shall act upon the same in the following manner:

1)If the information received by the first respondent discloses commission of a cognizable offence, then, the same shall be forthwith registered.

2)If an information received does not disclose a cognizable offence, the first respondent shall conduct a preliminary inquiry to ascertain whether cognizable offence is disclosed therein or not and such inquiry shall be completed within a period of fifteen days from the date of information.

3) If the inquiry discloses the commission of a cognizable offence, the FIR must be registered, if not already registered or closed.

4) If the preliminary inquiry ends in closing the complaint, the closure report must be recorded along with the reasonings and a copy of the same shall be furnished to the complainant within one week.

5)All information relating to cognizable offences whether resulting in registration of FIR or leading an inquiry must be reflected in the general diary/station diary/daily diary of the first respondent's police station.

The Criminal Original Petition ordered accordingly.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Thammampatty Police Station,
Thammampatty Post,
Gangavalli Taluk,
Salem District.
2. The District Superintendent of Police,
Office of District Superintendent of Police,
Salem.
3. The Director General of Police,
DGP Office,
No.1, Dr.Radhakrishnan Road,
Mylapore, Chennai - 600 004.
4. The Public Prosecutor,
High Court, Madras.

+ 2 ccs to Mr.P. Arasan, Advocate Sr.9517

Cr1.OP.No.1928 of 2018

RJ(CO)
EU(23/02/2018)

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