



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 09.03.2018

Delivered on : 27.03.2018

CORAM

THE HONOURABLE MR. JUSTICE **P. RAJAMANICKAM**

WEB COPY

Cr1.O.P.(MD) No.3217 of 2018

M.Ramamoorthi

... Petitioner

-Vs-

1. The Superintendent of Police,
Dindigul District,
Dindigul.

2. The Deputy Superintendent of Police,
Aundipatti, Theni District.

3. The Inspector of Police,
Aundipatti Police Station,
Aundipatti, Theni District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents to include the names of the accused in the Cr.No.31 of 2018 and consequently to take necessary action against them based on the petitioner's representation dated 31.01.2018 and 06.02.2018.

For Petitioner : Mr.R.Saravanan

For Respondents : Mr.Prabu Ramachandran (Cr1.side)
Government Advocate

ORDER

This petition has been filed to direct the respondents to include the names of the accused persons in Cr.No.31 of 2018 as per the representation submitted by the petitioner, dated 31.01.2018 and 06.02.2018.

2.The learned counsel for the petitioner has submitted that on 14.01.2018 one Karuppaiah, and fifteen others criminally trespassed into the petitioner's land armed with wooden logs and severely attacked the petitioner, his brother and his aunt with wooden logs and immediately, the petitioner, his brother and his aunt went to the Aundipatti Police Station, and gave a complaint before the Sub Inspector of Police with regard to the aforesaid occurrence, but the said Sub Inspector of Police told him that if he did not give a complaint against Karuppaiah, that will not be taken up for consideration. He further submitted that the said



Sub Inspector of Police, told the petitioner that if only the complaint is given against the four persons, then it would be registered or otherwise false case will be registered against him as he fell down and got injuries and due to loss of blood, the petitioner feel giddy and was not able to understand the situation. At that time, the Sub Inspector of Police obtained signatures from the petitioner in a blank paper and registered a case in Cr.No.31 of 2018. He further submitted that after discharging from the hospital, the petitioner got copy of the First Information Report and he shocked, it was registered against only four persons and hence, the petitioner has sent a representation to the respondents by RPAD on 31.01.2018 and 06.02.2018, but so far, no action has been taken.

3.The learned Government Advocate (Crl.side) has submitted that the petitioner gave a written complaint and based on that, the Sub Inspector of Police, Aundipatti Police Station, has registered a case in Crime No.31 of 2018 under Sections 294(b), 323, 324 and 506(ii) IPC as against one Sonaimuthu and three others. He further submitted that after that the petitioner has sent representation dated 31.01.2018 and 06.02.2018 through post, to include some more persons as accused persons and the investigation is still pending.

4.Admittedly, the investigation is pending before the second respondent with regard to the offence said to have been committed against the petitioner and his family members in Crime No.31 of 2018 on the file of the second respondent. Therefore, the second respondent is directed to expedite the investigation and if the investigation reveals that the persons, who were mentioned in the petitioner's representation also involved in the aforesaid occurrence, then he has to include them also as accused and file a final report.

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

Sd/-

Assistant Registrar(AS)

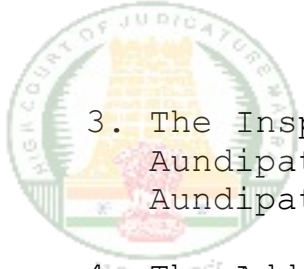
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Sub Assistant Registrar

To

1. The Superintendent of Police,
Dindigul District,
Dindigul.

<https://hcservicecourtservice.gov.in>
2. The Superintendent of Police,
Aundipatti, Theni District.



3. The Inspector of Police,
Aundipatti Police Station,
Aundipatti, Theni District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Saravanan, Advocate Sr.No.58185

RMK/CP

VB/SKN/RSK/SAR4/18/04/2018/3P/6C

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27.03.2018