



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2018

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Crl.O.P.(MD)No.22224 of 2015

Mohamed Yusuf

... Petitioner

-vs-

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Thanjavur,
Thanjavur District.

2. The Inspector of Police,
Pattukottai Police Station,
Pattukottai,
Thanjavur District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of the Criminal Procedure Code, for a direction to the second respondent to register a case based on the petitioner's complaint dated 04.08.2014.

For Petitioner	: Mr.S.M.A.Jinnah
For Respondents	: Mr.K.K.Ramakrishnan Additional Public Prosecutor

O R D E R

The Criminal Original Petition is filed for a direction to the second respondent to register a case, based on the petitioner's complaint dated 04.08.2014.

2. The learned Additional Public Prosecutor appearing for the respondents would submit that for the very same allegation against the proposed accused, the Deputy Inspector General of Police, Thanjavur, has initiated the departmental proceedings and the said proposed accused is suspended from service and charge memo has also been issued to the proposed accused. If any adverse findings from the departmental enquiry against the proposed accused under the Act, the Department also initiate criminal action against the proposed accused. Therefore, the present Criminal Original Petition is liable to be dismissed.

3. The learned counsel for the petitioner would submit that liberty may be granted to the petitioner to seek his remedy before this court, if necessary, after concluding the enquiry by the Department.



4. In the light of the above, the Criminal Original Petition is dismissed with liberty to the petitioner to seek his remedy before this Court, subject to the outcome of the departmental enquiry.

WEB COPY

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Thanjavur,
Thanjavur District.
2. The Inspector of Police,
Pattukottai Police Station,
Pattukottai,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.S.M.A.Jinnah, Advocate SR.No. 72310

Cr1.O.P.(MD)No.22224 of 2015
09.07.2018

akv
JM/SKN RSK/SAR 2/01.08.2018/2P/5C