



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRL.O.P. (MD) No.15948 of 2017

K. Shivakumar

: Petitioner

Vs.

1. State rep. by
The Superintendent of Police,
Madurai Rural District,
Office of the Madurai Rural District,
Superintendent of Police,
Pudur, Madurai.

2. The Inspector of Police,
Sholavandan Police Station,
Sholavandan,
Madurai District.

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondent police to register a case on the basis of the complaint given by the petitioner dated 07.10.2017 against the proposed accused person named in the complaint and investigate into the matter and submit a report to the court.

For Petitioner : Mr.D.Balamurugapandi

For Respondents : Mr.K.Suyambulinga Bharathi

Government Advocate (Criminal Side)

O R D E R

This petition is filed seeking a direction to the 2nd respondent police to register the FIR based on the petitioner's complaint dated 07.10.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the State.

3. According to the petitioner, the petitioner made a complaint to the respondent police against the proposed accused on 07.10.2017. But no action has been taken on the said complaint. Hence, the present petition has been filed before this Court.



4. The learned Government Advocate (Criminal side) on instructions, would submit that enquiry is pending and summons also served to the proposed accused as well as the petitioner. Though the summons were received by the parties, so far, both the parties did not appear and cooperate for enquiry. Hence, the 2nd respondent police did not able to complete the enquiry.

5. At this juncture, the learned counsel for the petitioner undertakes that the petitioner will cooperate for enquiry and appear before the 2nd respondent police as and when required.

6. In view of the fact that the petition enquiry is pending before the second respondent, the second respondent police is directed to issue fresh summons to the parties and to conduct the enquiry. During the course of enquiry, if any cognizable offence is made out, the second respondent shall register the complaint and if it is not, the second respondent police will drop further proceedings on the said compliant.

7. Accordingly, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai Rural District,
Office of the Madurai Rural District,
Superintendent of Police,
Pudur, Madurai.
2. The Inspector of Police,
Sholavandan Police Station,
Sholavandan,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

PJL

TE/SKN-RSK/SAR-4 : 06/07/2018 : 2P/4C

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