



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.(MD).No.15593 of 2016

and

CrI.M.P.(MD).No.7412 of 2016

Nagasubramanian

...Petitioner/Complainant

Vs.

1.The Superintendant of Police,
Tirunelveli District, Tirunelveli. ...Respondent

2.Thiru.Madasamy,
Inspector of Police,
Vikiramasingapuram Police Station,
Vikiramasingapuram,
Tirunelveli District. ...Respondent/Respondent

3.Thiru.Anandraj ...Respondent/Accused

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records relating to the order passed in Cr.M.P.No.2184 of 2016 dated 26.04.2016 by the learned Judicial Magistrate Court, Ambasamaduram and pending as Private Complaint before the Judicial Magistrate Court, Ambasamaduram and to set aside the same and direct the second respondent to register the case and to further direct the first respondent to transfer the investigation in respect of the complaint given by the petitioner on 31.03.2016 from the file of the second respondent and to some other competent Inspector of Police under the control of the first respondent for fair investigation in accordance with law and to take necessary action against the erring second respondent.

For Petitioner : Mr.Nagasubramanian
(Party in person)

For R1 and R2 : Mr.S.Bharathi
Government Advocate

For R3 : Mr.T.Selvakumaran

**ORDER**

This Criminal Original Petition has been filed to set aside the order passed by the learned Judicial Magistrate, Ambasamadram and direct the second respondent to register the case and to further direct the first respondent to transfer the investigation in respect of the complaint given by the petitioner on 31.03.2016, from the file of the second respondent to some other competent Inspector of Police under the control of the first respondent for fair investigation.

2.It is the case of the petitioner that he is a Food Safety Inspector. When he was carrying on his work on 31.03.2016, a vehicle went past him without stopping and attempted to dash him. In this regard, he gave a complaint to the learned Judicial Magistrate, Ambasamadram and the learned Judicial Magistrate by an order dated 26.04.2016, directed the Inspector of Police, Vikramasingapuram Police Station, to immediately take action on the complaint given by the petitioner.

3.This order is in fact in favour of the petitioner and the petitioner should have pursued further with the matter, instead, has chosen to come before this Court by filing this petition under Section 482 Cr.P.C.

4.This Court does not found any merits in this Petition and the same is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

Sub Assistant Registrar (CS-IV)

To

1.The Judicial Magistrate Court,
Ambasamadram.

2.The Superintendant of Police,
Tirunelveli District,
Tirunelveli.

3.The Inspector of Police,
Vikramasingapuram Police Station,
Vikramasingapuram,
Tirunelveli District.



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

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+ 1 CC TO MR.T.SELVAKUMARAN, ADVOCATE IN SR NO.84617

TSG

BU/PM/SAR-IV : 01.10.2018 : 3P/6C

Cr1.O.P. (MD) .No.15593 of 2016
17.09.2018