



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

Cr1.O.P.(MD)No.7418 of 2018

K.Arumugam

... Petitioner

Vs.

1.State Represented through
The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
K.Pudur Police Station,
Madurai-625 007.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the second respondent to register a case based on the petitioner's complaint dated 31.08.2017 and investigate the same in accordance with law.

For Petitioner : Mr.R.Karunanidhi
For Respondents : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor.

ORDER

This petition has been filed seeking a direction to the second respondent to register a case based on the petitioner's complaint dated 31.08.2017 and investigate the same in accordance with law.

2.According to the learned counsel appearing for the petitioner, he made a complaint to the respondent on 31.08.2017, stating that when he had taken photos by using his mobile phone, the police officers had threatened him to give his mobile phone, but the petitioner was refused to hand over the same. Therefore, the police officers forcefully took away the mobile phone from the petitioner. Immediately, the petitioner requested the police officers to return back the mobile phone. But the police officer slapped on his head and pushed him into police van and thereafter, he was taken to the second respondent police station under the illegal custody. Subsequently, one Kathir, who is the friend of the petitioner, came to the second respondent police station for saving the petitioner. After getting statement from the said Kathir, the petitioner was released from the illegal custody and he was taken medical treatment for the period from 31.08.2017, 07.09.2017 to 19.09.2017 and one Henri Tiphane, who is the Director of People's watch has sent online



complaint on 30.08.2017, and thereafter, the petitioner sent detailed complaint to the second respondent on 31.08.2017. Subsequently, the petitioner made representations to the District Collector on 04.09.2017 and 25.09.2017. But so far, no action has been taken. Hence, the present Criminal Original Petition has been filed.

3.The learned Additional Public Prosecutor appearing for the respondents would submit that detail enquiry was conducted and during the enquiry, it was found that the aforesaid complaint made by the petitioner was false. Therefore, the said complaint was closed and the closure report has also been submitted before this Court.

4.Recording the submission made by the learned Additional Public Prosecutor, this Criminal Original Petition is closed. However, it is open to the petitioner to approach the concerned Judicial Magistrate Court, seeking his relief under the provisions of Cr.P.C.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
K.Pudur Police Station,
Madurai-625 007.

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

COPY TO:

The Judicial Magistrate Court,
Madurai.

+1cc to M/S.R.Karunanidhi, Advocate SR.No. 66729

CrI.O.P. (MD)No.7418 of 2018
04.06.2018

myr

JM/SKN RSK/SAR 4/13.06.2018/2P/6C

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