



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2018

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Cr1.OP (MD) No.9444 of 2018

WEB COPY

V.Velraj

.. Petitioner

Vs.

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

2. The Sub-Inspector of Police,
Sattur Town Police Station,
Sattur-626 203.
Virudhunagar District.

3. Mrs.Sundari

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent to register the case based on the petitioner's complaint dated 26.05.2018 against the proposed accused and proceed the same as per law within a stipulated time.

For Petitioner

:Mr.R.Pandi Maharaja

For R1 & R2

:Mr.K.Suyambulinga Bharathi,
Govt. Advocate (Cr1.side)

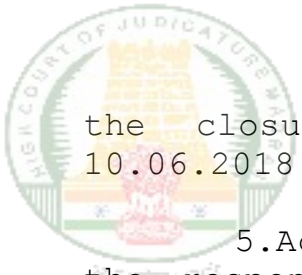
O R D E R

This petition has been filed praying to direct the second respondent to register the case based on the petitioner's complaint dated 26.05.2018.

2.The learned counsel for the petitioner has submitted that the petitioner has lodged a complaint before the second respondent on 26.05.2018 against the proposed accused, but so far, no action has been taken and hence, the petitioner has filed the present Criminal Original Petition.

3.The learned Government Advocate (Cr1.side) on instructions would submit that the petitioner has filed this petition without disclosing the correct facts.

4.The learned Government Advocate (Cr1.side) has further submitted that in the complaint enquiry was conducted and thereafter, the said complaint was closed as "Civil in Nature" and



the closure report was also served to the petitioner on 10.06.2018.

5. According to the learned Government Advocate (Crl. side), the respondent police has served summons to the petitioner to appear for an enquiry in respect of the petitioner's complaint and the same was received by the petitioner on 29.05.2018 and to that extent acknowledgement card was also produced before this Court and the said card was also perused by the counsel for the petitioner.

6. The learned counsel for the petitioner submitted that the petitioner has not narrated the aforesaid fact to the counsel for the petitioner. Therefore, this Court is of the opinion that a cost has to be imposed on the petitioner. However, taking into consideration of the request made by the learned counsel for the petitioner, no cost is imposed.

7. Considering the fact that summons has already been issued to the petitioner and even after receipt of the same, the petitioner has not turned up for enquiry and he has also not informed the fact of issuance of summons to his counsel, this Court is not inclined to pass any orders in this petition. Hence, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To,

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Sub-Inspector of Police,
Sattur Town Police Station,
Sattur-626 203.
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr. C.M. Arumugam, Advocate Sr.No. 68346

AM

MK/VB/SB/SAR1/29.06.2018/2P/5C