



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

Cr1.O.P.(MD).No.9632 of 2018

R.Selvan

.. Petitioner

Vs.

1.The State of Tamil Nadu represented by,
The Home Secretary,
State of Tamil Nadu,
Secretariat,
Fort St.George,
Chennai.

2.The Inspector General of Police,
Office of the Director General of Police,
South Zone,
Trichy.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Allagankudi,
Pudukottai District.

4.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pudukottai Town,
Pudukottai District.

5.The Inspector of Police,
Karampakudi Police Station,
Pudhukottai District.

6.Adhul Muthalep

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondents 1 to 4 to direct the respondent No.5 to register FIR against the respondent No.6 on the basis of the petitioner's complaint dated 21.02.2018 and initiate necessary action in accordance with law within the time stipulated by this Court.

For Petitioner

: Mr.R.Alagumani

For Respondents 1 to 5

: Mr.K.Suyambulingabharathi

Government Advocate (Criminal side)

**ORDER**

This petition has been filed seeking a direction to the respondents 1 to 4 to direct the respondent No.5 to register FIR against the respondent No.6 on the basis of the petitioner's complaint dated 21.02.2018 and initiate necessary action in accordance with law within the time stipulated by this Court.

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

3. When the matter was taken up for hearing, the learned Government Advocate (Criminal side) on instructions, would submit that by order dated 12.12.2017 in CrI.O.P.(MD).No.15848 of 2017, this Court has recorded the statement of the learned Additional Public Prosecutor that the complaint has been closed after conducting petition enquiry and closed the Criminal Original Petition with liberty to the petitioner to work out his remedy in accordance with law. He further submitted that the remedy available to the petitioner is that he has to follow the procedure as contemplated under law. Per contra, the petitioner has filed the present petition seeking the same relief which was already dealt with and closed by this Court.

4. The learned Government Advocate (Criminal side) would further submit that already the petitioner has approached the learned Judicial Magistrate, Alangudi by sending a representation dated 30.11.2017 to work out his remedy.

5. In the light of the above facts and submissions and on perusal of the petitioner's representation, it is open to the petitioner to seek his remedy before the appropriate Court as directed by this Court by order dated 12.12.2018 in CrI.O.P.(MD).No.15848 of 2017. Therefore, no prima facie case is made out to entertain this petition.

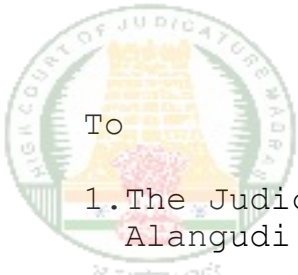
6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar



To

1. The Judicial Magistrate,
Alangudi.

2. The Secretary to Government,
Home Department,
Secretariat,
Fort St. George,
Chennai.

3. The Inspector General of Police,
Office of the Director General of Police,
South Zone,
Trichy.

4. The Superintendent of Police,
Office of the Superintendent of Police,
Allagankudi,
Pudukottai District.

5. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pudukottai Town,
Pudukottai District.

6. The Inspector of Police,
Karampakudi Police Station,
Pudhukottai District.

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

+1CC to Mr.R.Alagumani Advocate in SR.No.68356.

PJL

DS/SV-MMS/SAR-4 :28.06.2018: 3P/9C

Cr1.O.P (MD) No.9632 of 2018
14.06.2018