



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2018

CORAM:

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THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR
CrI.O.P.(MD)No.9755 of 2018

C.Palaniyappan

... Petitioner

-Vs-

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

2.The Inspector of Police,
District Crime Branch,
Sivagangai, Sivagangai District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying, to direct the second respondent to register the case on the basis of the petitioner's complaint dated 25.04.2018 within a period of stipulated time.

For Petitioner : Mr.A.Prasanna Rajadurai,
for M/s.S.Muthalraj

For Respondents : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed, directing the second respondent to register the case on the basis of the petitioner's complaint dated 25.04.2018 within the stipulated time.

2.The learned Additional Public Prosecutor appearing for the respondents would submit that this criminal original petition is not maintainable on the following two grounds.

(i)The petitioner has made a complaint before the District Crime Branch / second respondent, who has no jurisdiction to enquire into the same.

(ii)The petitioner has not made any complaint before the concerned Station House Officer.

3.The learned counsel appearing for the petitioner submitted that the petitioner made a complaint to the Superintendent of Police, Sivagangai District, and the same was



also forwarded to the concerned Station House Officer for conducting enquiry. However, the learned counsel for the petitioner requests that liberty may be granted to the petitioner to approach the concerned Station House Officer to take further action in the aforesaid complaint preferred by the petitioner.

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4. In the light of the above, this Criminal Original Petition is disposed of. However, it is for the petitioner to approach the concerned Station House Officer. If necessary, the petitioner shall send a copy of the said complaint to the concerned Station House Officer for taking further action, if it is permissible under the law.

Sd/
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
District Crime Branch,
Sivagangai, Sivagangai District.

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

+1cc to Mr. NA. PALANIYANDI, Advocate, SR.No.68780

CrI.O.P. (MD) No.9755 of 2018
19.06.2018

MYR

KK/SV MMS/SAR-1/28.06.2018/2P-5C/