

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 03.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR****CRL.O.P.(MD)No.10985 of 2018**

Prasath, S/o. Muthuvel

: Petitioner

-Vs-

1. The Superintendent of Police,
Pudukkottai District, Pudukottai.

2. The Inspector of Police,
Ganesh Nagar Police Station,
Pudukottai.

: Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code, to direct the respondents to register a case on the complaint of the petitioner dated 21.02.2018 and further direct them to investigate the matter in accordance with law.

For Petitioner : Mr.K.N.Govardhanan

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

The prayer sought for herein is to direct the respondents to register a case on the complaint of the petitioner dated 21.02.2018 and further direct them to investigate the matter in accordance with law.

2.According to the petitioner, the petitioner's wife gave birth to a female child by undergoing caesarean operation and she was discharged from the hospital on 16.02.2018 on payment of medical fees and other charges to the proposed accused. The petitioner's child was not well and therefore, he has taken to Dr.Jansirani at her clinic in Alangudi and she asked the petitioner to admit his child as inpatient in Star Hospital. After admitting the child, his child was continuously crying. Therefore, the petitioner asked Dr.Jansirani to attend the child, but no proper reply was given from the hospital administration and the child was under the supervision of a Sidda Doctor, who was administering allopathy medicines to the child and thereafter, the child was stopped crying. After some time, the petitioner and his



wife was intimated that the child died. Therefore, the petitioner made a complaint before the respondent police, but 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 enquiry was conducted. During the enquiry, the alleged Doctors had made a statement and accepting the statement of the proposed accused, the complaint preferred by the petitioner has been closed. The copy of the closure report has also been placed before this Court.

4. The learned counsel appearing for the petitioner has disputed the said closure report filed by the learned Additional Public Prosecutor and also requests this Court that the matter may be referred to the Tamil Nadu Mediation and Conciliation Centre attached to this Court for amicable settlement between the parties.

5. Considering the above circumstances and nature of the case, this Court directs the Registry to forward this Criminal Original Petition to the Tamil Nadu Mediation and Conciliation Centre attached to this Court and the parties are directed to appear before the Mediators on 13.07.2018. Thereafter, the Mediation Centre shall submit a report before this Court on 23.07.2018.

6. The learned Additional Public Prosecutor undertakes that he will inform the same to the proposed accused through the respondent police. The learned counsel appearing for the petitioner also permitted to take private notice to the proposed accused.

7. In the light of the above, this Criminal Original Petition is closed. Post the matter on 23.07.2018 for reporting compliance.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Ganapathi Nagar Police Station,
Pudukkottai.



3. The Officer In Charge,
Mediation and Conciliation Centre,
Madurai Bench of Madras High Court,
Madurai.

WEB COPY

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

5. The Section Officer, (2 copies)
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

MYR

VB/RSK/SAR4/09.07.2018/3P/7C

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03.07.2018