

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 23.07.2018****CORAM****WEB COPY****THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR****Crl.OP (MD) No.12371 of 2018**

V.S.Shanmugam

.. Petitioner

Vs.

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

2. The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondents to register the FIR on basis of the statement given by the petitioner in the Hospital dated 24.06.2018 and substances of the complaint dated 02.07.2018 to the respondents.

For Petitioner : Mr.P.Jamal Mohammed
for Mr.K.Baalasundharam,

For Respondents : Mr.K.Suyambulinga Bharathi,
Govt. Advocate (Crl.side)

O R D E R

This petition has been filed praying to direct the respondents to register the FIR on the basis of the statement given by the petitioner in the Hospital dated 24.06.2018 and substances of the complaint dated 02.07.2018 to the respondents.

2.The learned counsel for the petitioner has submitted that the petitioner has been admitted in the hospital as Inpatient for 7 days and therefore, he lodged a complaint before the respondents on 02.07.2018, but sofar, no action has been taken and hence, the petitioner has filed the present Criminal Original Petition.

3.The learned Government Advocate (Crl.side) appearing for the respondents, on instructions, submitted that summons has been served to the petitioner for an enquiry, but the petitioner has



not turned up for an enquiry.

4. The learned counsel for the petitioner undertakes that the petitioner will appear before the respondent police on 30.07.2018 for enquiry.

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5. The learned Government Advocate (Crl.side) further submitted that if the petitioner co-operates for an enquiry, the respondent police shall give an opportunity to the petitioner and thereafter, pass an orders on the petitioner's representation.

6. In the light of the above submission made by the learned Government (Crl.side) and also recording the undertaking given by the petitioner that the petitioner will appear for an enquiry on 30.07.2018, the second respondent is directed to issue notice to the petitioner and proceed with the enquiry in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. If the enquiry reveals any cognizable offence is made out, then the respondent police is directed to register the case and if it is not, the second respondent police shall drop further proceedings.

7. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-II)

To,

1. The Superintendent of Police,
Office of the Superintendent of Police,
Pudukkottai District.
2. The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Am

AE/RP/SAR2/26.07.2018/2P/4C