

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3491 of 2019

M/s.Immanuvel Lutheran Church,
rep by its Secretary,
S.Chirstopher Mani

... Petitioner

Vs.

1.The District Superintendent of Police,
O/s.District Superintendent of Police,
Sathuvachary,
Vellore - 9.

2.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Ambur Town,
Ambur, Vellore District.

3.The Inspector of Police (L & O),
Ambur Town Police Station,
Ambur,
Vellore District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the 1st and 2nd respondent to give suitable instructions to the 3rd respondent to conduct the investigation afresh in this connection upon the complaints dated 17.07.2017 & 14.12.2018 and to file the F.I.R. within a reasonable time.

For Petitioner : Mr.A.M.Ayyadurai

For Respondents: Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the third respondent to conduct the investigation on the complaints of the petitioner dated 17.07.2017 and 14.12.2018.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. It is seen that the petitioner has already filed a direction petition in Crl.O.P.No.19918 of 2017 seeking for

direction to direct the third respondent to register the case. This Court by an order dated 21.09.2017, directing the third respondent to conduct enquiry and register if any cognizable offence made out by the petitioner. Even after the direction, the third respondent did not conduct any enquiry. Therefore, the petitioner issued contempt notice to the third respondent on 12.12.2018 and after on receipt of such notice, they conducted enquiry and closed the same. The very same allegation as alleged before the third respondent and therefore the direction cannot be considered and dismissed.

4. In view of the above, this Criminal Original Petition is dismissed by giving liberty to the petitioner to file a private complaint in the manner known to law.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mpa/lpp

To

1.The District Superintendent of Police,
O/s.District Superintendent of Police,
Sathuvachary,
Vellore - 9.

2.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Ambur Town,
Ambur, Vellore District.

3.The Inspector of Police (L & O),
Ambur Town Police Station,
Ambur,
Vellore District.

4.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.3491 of 2019

ks(co)
nr 01/04/2019