

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2019

CORAM:

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM
CRL.O.P.No.32783 of 2019

R.Baskar

.. Petitioner

Vs.

The State Represented by

The Sub Inspector of Police (Crime),

J1 Saidapet Police Station,

Chennai District.

(Crime No.Not Known of 2019)

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the Respondent Police herein to furnish the copy of the complaint dated 23.10.2019 to the Petitioner herein in CSR No.666 of 2019 pending on the file of the Respondent herein in order to enable the Petitioner herein to offer explanation to the said complaint.

For Petitioner : Mr.C.Saravanan

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking to direct the Respondent Police herein to furnish the copy of the complaint dated 23.10.2019 to the Petitioner herein in CSR No.666 of 2019 pending on the file of the Respondent herein in order to enable the Petitioner herein to offer explanation to the said complaint.

2.The learned counsel for the petitioner has submitted that the respondent has sent summons on 15.11.2019 directing the petitioner to appear before the respondent police on 18.11.2019 at 10.30 a.m., with regard to the complaint said to have been given by one Varadhan, but along with the said summons, the respondent has not enclosed a copy of the complaint and therefore seeks direction to the respondent to furnish a copy of the complaint.

3.The learned Additional Public Prosecutor has submitted that the relief sought for by the petitioner is covered under Right to Information Act. Hence, this petition is not maintainable.

4.Since the respondent has issued summons directing the petitioner to submit his explanation with regard to the complaint, said to have been lodged by one Varathan, the respondent is directed to furnish a copy of the complaint to the petitioner and then only he can give explanation. Accordingly, the respondent is directed to send a fresh summons enclosing a copy of the complaint.

5.With the aforesaid directions, this Criminal Original Petition is disposed of.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

gbi/ebsi

To

1.The Sub Inspector of Police (Crime),
J1 Saidapet Police Station,
Chennai District.

2.The Public Prosecutor,
High Court, Madras. सत्यमेव जयते

+1 cc to M/s.G.Saravanan Advocate sr101259

WEB COPY

CRL.O.P.No.32783 of 2019

jp(co)
aa02/01/2020