

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.15396 of 2020
and CrI.M.P.No.5858 of 2020

K.N.Sakthivel

... Petitioner

.Vs.

1. The Inspector of Police,
Sulur Police Station, Sulur,
Coimbatore 641 402.

2. P.Karthikeyan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the 1st respondent to issue copy of the representation dated 20.01.2020 given by Karthikeyan to the Inspector of Police, Sulur, Coimbatore to the petitioner to participate in the enquiry.

For Petitioner : Mr.C.Deivasigamani

For Respondents: Mr.S.Karthikeyan,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the 1st respondent to issue copy of the representation dated 20.01.2020 given by Karthikeyan to the Inspector of Police, Sulur, Coimbatore to the petitioner to participate in the enquiry.

2. The learned counsel for the petitioner would submit that on the complaint lodged by the second respondent dated 20.01.2020, this Court, by an order dated 10.03.2020, in CrI.O.P.No.5453 of 2020, directed the first respondent herein to conduct an enquiry, after giving an opportunity of hearing and pass orders on merits in accordance with law. Without issuing any summons, the first respondent called upon the petitioner for enquiry. While attending the enquiry, the petitioner sought for the copy of the complaint lodged by the second respondent dated 20.01.2020. The first respondent refused to furnish the copy of the complaint. Therefore, the petitioner was constrained to apply for the copy of the complaint dated 20.01.2020 under the Right to Information Act. On receipt of the said application,

the petitioner was informed that no such complaint was lodged by the second respondent herein. Even then, the second respondent, without issuing any summons called the petitioner for enquiry. Therefore, the petitioner sought for a copy of the complaint dated 20.01.2020.

3. The learned Additional Public Prosecutor would submit that already the first respondent categorically replied to the application filed by the petitioner, under the Right to Information Act, that no complaint was received from the second respondent on the file of the first respondent. Further, he submitted that at no point of time, the pet was called for an enquiry.

4. On perusal of the records, it is revealed that already the second respondent has approached this Court, in CrI.O.P.No.5453 of 2020, seeking police protection, on the complaint dated 20.01.2020. This Court by an order dated 10.03.2020 directed the first respondent to conduct enquiry on the complaint dated 20.01.2020 and pass orders on merits in accordance with law, after issuing notice to the petitioner herein. Now, the learned Additional Public Prosecutor submitted that no complaint date 20.01.2020 has been received from the second by the first respondent and no complaint is pending on the file of the first respondent.

5. Recorded the said submission, this Criminal Original Petition is closed. Consequently, the connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Sulur Police Station, Sulur,
Coimbatore 641 402.
2. The Public Prosecutor,
High Court, Madras.

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and CrI.M.P.No.5858 of 2020

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