



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2021

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No. 15921 of 2021

K.Muthuraman

... Petitioner

Vs.

State by

1. The Superintendent of Police
Villupuram District, Villupuram

2. The Inspector of Police
District Crime Branch
Villupuram, Villupuram District

... Respondents

Prayer: The Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the respondent to register FIR against the named said person on the basis of the complaint lodged by the petitioner on 22.07.2021.

For Petitioner : Mr.C.Prakasam

For Respondents : S.Sugendran
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

This Criminal Original Petition has been filed seeking for a direction to the respondent police to register FIR against the named person based on the complaint given by the petitioner on 22.07.2021.

2. Perusal of record shows that after receipt of the complaint dated 27.07.2021, the respondent police have issued summon to the petitioner to appear before them for enquiry on 27.08.2021.

3. The learned Government Advocate (Crl. Side) would submit that after receipt of the summon, the petitioner did not appear before the respondent police and co-operate for enquiry.



He would submit that when a complaint is filed, the complainant should appear before the respondent police for preliminary enquiry and for further investigation and without appearing, the complainant straight away cannot approach the Court invoking Section 482 Cr.P.C. and he would submit that the petitioner has not approached this Court with clean hands.

4. It is seen that on receipt of the complaint of the petitioner, the respondent police have issued summon to the petitioner. Whereas, the petitioner without appearing before the respondent police and co-operating for enquiry/investigation, has approached this Court invoking Section 482 Cr.P.C. which is nothing but abuse of process of law.

5. Therefore, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

KSA-2/dsn

To

1. The Superintendent of Police
Villupuram District, Villupuram
2. The Inspector of Police
District Crime Branch
Villupuram, Villupuram District
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.15921 of 2021

PMK (CO)
K.RK. (06.10.2021)