



CrI.O.P.No.21403 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

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Ramalingam

... Petitioner

Versus

The Inspector of Police,
Modakurichi Police Station,
Erode District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent police to register the F.I.R based on the petitioner's complainant dated 29.09.2021.

For Petitioner : Mr.R.Senthikumar
For Respondent : Mr.R.Vinothraja for R1
Government Advocate(crl.side)

ORDER

This petition has been filed by the Petitioner/Accused seeking direction to the respondent police to register the F.I.R based on the



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petitioner's complainant dated 29.09.2021.

2. The grievance of the petitioner is that on 29.09.2021, the petitioner lodged a complaint before the respondent police against the accused persons. Since no action has been taken on the said complaint, the petitioner sent a representation to the Inspector of Police, West Zone, Coimbatore and as the same did not evoke any response, the petitioner has filed this Criminal Original Petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner is the President of Auto Driver and Owners Welfare Association which is one of the units of the National Political Party viz., Bahujan Samaj party (BSP) and on 26.09.2021 a name board, containing the image of Dr.B.R.Ambedkar, Dadasaheb Kanshiram, National President Ms.Mayawathi and State President Mr.K.Armstrong, was erected by the Petitioner's Association. He further submitted that one Madeswaran @ Appukannu has initially raised objection to erect the name board with figure of Dr.B.R.Ambedkar, but however they opened



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the same. He further submitted that on 27.09.2021, the said Madeswaran @ Appukannu has wantonly parked a long trailer on the auto stand in order to give disturbance to the petitioner's autostand and also warned the members that no one should use that place as auto stand and therefore, the association members namely Veeramani and two others have lodged a complaint before the respondent police, based on which a case came to be registered in Crime No.252 of 2021 under Section 506 (ii) of IPC and Section 3 (2) (va) of SC/ST Act, but have not taken any steps against the accused. He further submitted that taking advantage of the same, on 28.09.2021 at about 7.15 P.M. the accused persons came to the auto stand and abused the petitioner and others in filthy language using the caste name and also plucked the name board and tarnished the same and hence the petitioner lodged a complaint before the Respondent police on 29.09.2021, but the respondent police have not chosen to take action against the accused persons.

4. The learned Government Advocate (CrI.side) on the other hand submitted that on 30.09.2021, a case in Crime No.252 of 2021 for offence



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punishable under Section 3 (2) (va) of SC/ST Act and the substance of the said complaint is same as the present complaint. He further submitted that earlier to his a case in Crime No.250/2021 for offence punishable under Sections 143, 341 , 269 and 270 of I.P.C. had been registered, based on the complaint given by the local people. He further submitted that on enquiry, it is clearly found that the petitioners have not obtained prior permission for placing the name board of the auto stand and later the name board was seized as a Case property in Crime No.250 of 2021 and yet another case was registered in Crime No.247 of 2021, for the offence punishable under Section 4 (a) of TNPPDL Act for the same dispute and investigation is pending in all these matters.

5. Heard both sides. Perused the records.

6. Since already enquiry has been commenced and investigation is in progress in Cr.No.247 of 2021, this Court finds that no orders are required in this Criminal Original petition.



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7. In view of the same, this Criminal Original Petition is dismissed.

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Index: Yes/No
Internet: Yes/No
arr

To

- 1.The Inspector of Police,
Modakurichi Police Station,
Erode District.
- 2.The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.
arr

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