



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.25780 OF 2021

S.Govindasamy

... Petitioner

Vs.

State rep by:-

The Inspector of Police,
Kambainallur Police Station,
Kambainallur,
Dharmapuri District - 635 202.

... Respondent

PRAYER:

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent Police to register an FIR on the complaint dated 22.11.2021 made by the petitioner.

For Petitioner : Mr.G.Sudhakar for
Mr.G.Balamanikandan

For Respondent : Mr.E.Raj Thilak,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent Police to register an FIR on the complaint, dated 22.11.2021 made by the petitioner.

2.The learned counsel for the petitioner submitted that the petitioner had sent a reminder to the respondent Police on 22.11.2021 through registered post, for not taking action on his complaint dated 10.11.2021. He further submitted that on 04.11.2021, at about 06.00 p.m., when the petitioner's son Akash tried to fire the crackers, it was exploded with heavy sound, due to which, he sustained serious injuries all over the body



especially his left hand palm was torn into several pieces and therefore, two fingers were torn into pieces showing the inner vain and bones. Even his thigh and private parts also got injured. Immediately, the petitioner and his son rushed to the Government Hospital, Dharmapuri, where the Doctors said that his son's fingers could not be rescued and further said that it should be removed. Thereafter, he taken his son to Niranjana Hospital, Dharmapuri for treatment and the surgery had taken place. Despite best efforts, his son lost his two fingers and he is unable to do any work on his own. He further submitted that in the complaint, he stated that the manufacturer of the country bomb had not obtained appropriate license and not taken precautionary steps.

3. In support of his submissions, the learned counsel for the petitioner produced the medical records of the petitioner's son, copy of the complaint and photographs showing the injuries.

4. The learned Additional Public Prosecutor appearing for the respondents submitted that on the complaint of the petitioner, C.S.R.No.276 of 2021 was assigned on 12.11.2021. On 19.11.2021, the petitioner and the counter complainant were called for enquiry and later, the complainant informed that he would approach the concerned Court for appropriate remedy. The counter complainant on enquiry produced the license for cracker business. During enquiry, the neighbours of the petitioner were also called, who stated about the incident happened on 04.11.2021. Since the petitioner was not willing to partake enquiry, the said CSR was closed. He fairly submitted that the closure report not served to the petitioner.

5. In view of the above, the respondent Police is directed to serve the copy of the closure report to the petitioner, who shall agitate the same, if he so desires, in the manner known to law.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Kambainallur Police Station,
Kambainallur,
Dharmapuri District - 635 202.

2. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.25780 of 2021

AK (CO)
PM/21/02/2022