



WEB COPY

Crl.O.P No.28451 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2022

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THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.28451 of 2022

M.Ebanezer

... Petitioner

Vs.

1. The Commissioner of Police,
Salem City,
Salem, Salem District.

2. The Assistant Commissioner of Police,
West Range, Suramangalam,
Salem – 636 005,
Salem District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to pass an order of direction, directing the second respondent to register the complaint based on the complaint of the petitioner dated 11.11.2022 and investigate the same in accordance with law to secure the ends of justice.

For Petitioner : Mr.K.Kalaikovan
For Respondents : Mr. S.Santhosh
Government Advocate (Crl.Side)



ORDER

WEB COPY This Criminal Original Petition has been filed to pass an order of direction, directing the second respondent to register the complaint based on the complaint of the petitioner dated 11.11.2022 and investigate the same in accordance with law.

2. The learned counsel for the petitioner submitted that one Sowkar Ali and his men have been disturbing the petitioner's peaceful possession and enjoyment of the property situated at Railway Junction Opposite to Salem; in this regard the petitioner has given a complaint to the second respondent and no action has been taken so far; on the other complaint given by the petitioner to the Inspector of Police, Suramangalam Police Station on 07.10.2020 and a case was registered in Cr.1383 of 2020 for the offences under Section 147, 447, 323 IPC and Section 4 of Women Harassment Act and the same has been closed on the very next day as mistake of fact. The learned counsel for the petitioner further submitted that he has given another complaint against certain named police officers on allegations that they have taken bribe.

3. The learned Government Advocate (Crl.Side) appearing for the respondents submitted that on the complaint given by the petitioner, further



investigation has to be done; the Deputy Commissioner of Police, Salem City had appointed the Assistant Commissioner of Police, Ammapet range to conduct further investigation; on the other complaint given by the petitioner, current paper enquiry has been initiated and it is pending in C.S.R. No.1259/2022; since a new Officer has been appointed to investigate the cases, the same officer can investigate the other allegations against the police officers as well.

4. Since some other Officer has been nominated to conduct further investigation in these cases and the grievance of the petitioner is redressed as of now, I feel that the matter does not require any further consideration. The petitioner is at liberty to appear before the new investigation authority and submit the materials, if any, to him. If the results of the enquiry is not satisfactory to the petitioner, appropriate action can be initiated under Section 156(3) and 200 Cr.P.C. before appropriate forum.

5. With the above observations, this Criminal Original Petition is disposed of.

21.11.2022

Index : Yes/No
Speaking Order : Yes / No



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R.N.MANJULA, J.,

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To:

1. The Commissioner of Police,
Salem City,
Salem, Salem District.
2. The Assistant Commissioner of Police,
West Range, Suramangalam,
Salem – 636 005,
Salem District.
3. The Public Prosecutor,
High Court, Madras.

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