



Crl.O.P.No.32233 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

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C.Munusamy

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Superintendent of Police,
Tiruvannamalai,
Tiruvannamalai District.

2.The Deputy Superintendent of Police,
Polur, Tiruvannamalai District.

3.The Inspector of Police,
Kannamangalam Police Station,
Polur Taluk, Tiruvannamalai District.

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code to direct the third respondent police to register the petitioner's complaint dated 03.12.2022 vide C.S.R.No.678/2022 dated 05.12.2022.

For Petitioner : Mr.Secular S.Arunkumar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor



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ORDER

This petition is filed seeking for a direction to the third respondent police to register a case on the petitioner's complaint dated 03.12.2022.

2.The contention of the petitioner is that the petitioner lodged a complaint to the third respondent police on 03.12.2022, though C.S.R.No.678 of 2022 was assigned, no action has been taken despite the complaint disclosing cognizable offence. The petitioner and his father who is aged about 79 years were assaulted brutally and threatened for their life. Hence, for the inaction on the part of the respondent police, the present petition is filed.

3.Heard Mr.Secular S.Arunkumar, learned counsel appearing on behalf of the petitioner.

4.Learned Additional Public Prosecutor filed a status report and stated that on the complaint of the petitioner, FIR in Crime No.343 of 2023



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dated 20.06.2023 was registered for the offence under Sections 323 and 506(1) of IPC and a copy of the FIR was handed over to the petitioner.

5.In reply, the learned counsel for the petitioners submitted that though a case for the offence under Sections 323 and 506(1) of IPC has been registered, from the complaint and medical record produced by the petitioner shows that the petitioner's father sustained grievous injuries, instead of including serious offences under Section 326 IPC and other offences, the respondent had filed FIR with lesser offence.

6.Considering the submissions and on perusal of the materials, it is seen that the petitioner has come with a prayer to register the FIR and now FIR has been registered. If the petitioner has grievance on the registration of FIR with lesser offence, the petitioner to appear before the respondent police, produce documents and explain. Thereafter, it is for the respondent to conduct investigation and if the materials produced satisfies, appropriate sections can be included.



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Index : Yes/No
Speaking Order/Non-Speaking Order
cse

To

1. The Superintendent of Police,
Tiruvannamalai,
Tiruvannamalai District.
2. The Deputy Superintendent of Police,
Polur, Tiruvannamalai District.
3. The Inspector of Police,
Kannamangalam Police Station,
Polur Taluk, Tiruvannamalai District.
4. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

cse

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