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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2024

CORAM :

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.1903 of 2024

Samidurai

... Petitioner

Vs.

1.The District Superintendent of Police,
Cuddalore District,
Cuddalore.

2.The Sub Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.

3.Pugazhenthiran

4.Thangamani

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus, to direct the 1st and 2nd respondent to record the statement of the petitioner through Audio and Video means, by considering the representation by the petitioner dated 20.01.2024 in accordance with law.

For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor
for R1 and R2



ORDER

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This writ petition has been filed for a direction to the 1st and 2nd respondents to record the statement of the petitioner through Audio and Video means, by considering the representation made by the petitioner on 20.01.2024.

2. When the matter came up for hearing today, the learned Additional Public Prosecutor on instructions submitted that the dispute was between the brothers and that the complaint that was given by the petitioner was taken on file in CSR No.33 of 2024 dated 15.01.2024. Similarly, the counter complaint was taken on file in CSR No.25 of 24 dated 13.01.2024. Both the parties were called for an enquiry and since there was no co-operation on the side of both the parties, both the complaints were closed on 18.01.2024.

3. The relevant materials were placed before this Court. It is seen from these materials that there has been a melee, wherein, both the parties have attacked each other and injuries were also sustained which is evident from the Accident Register that has been produced before this Court. In view of the same, there is no question of conducting a preliminary enquiry, since a cognizable offence has been made out. In view of the above, there shall be a direction to the 2nd respondent to register the FIR based on the complaint and to proceed further with the investigation in



accordance with law and complete the same, as expeditiously as possible and file the final report or closure report, as the case may be before the concerned jurisdictional Court.

4.This writ petition is disposed of with the above directions. No Costs.

05.02.2024

Index : Yes/No
Internet : Yes/No
ssr

To

- 1.The District Superintendent of Police,
Cuddalore District,
Cuddalore.
- 2.The Sub Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.
- 3.The Public Prosecutor,
High Court, Madras.



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N. ANAND VENKATESH, J.

SSI

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