



WEB COPY



CrI.O.P.No.21221 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.21221 of 2024

Kolanji

... Petitioner

Vs.

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

2.The Sub Inspector of Police,
Thittagudi Police Station,
Cuddalore District.
Crime No.172/2024

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C./
528 BNSS, pleased to direct the 2nd respondent to club together the FIR in
Crime No.172 of 2024 and counter complaint of the petitioner dated
30.07.2024 to conduct investigation into the matter simultaneously in
accordance with law.

For Petitioner : Mr.R.Sankarasubbu
for Mr.M.Velmurugan

For Respondents : Mr.K.M.D.Muhilan
Government Advocate (CrI.Side)

ORDER



Crl.O.P.No.21221 of 2024

The petitioner herein is the sole accused in the complaint given by the Chief Medical Officer in charge of Government hospital, Thittagudi, which has been registered in Crime No.172 of 2024 on 30.07.2024 for the alleged offence under Sections 296(b), 132, 351(1) of BNSS & Section 3 of Tamil Nadu Medicare Service Persons & Medicare Service Institutions [Prevention of Violence & Damage or Loss to the Property] Act, 2008.

2. The petitioner herein through this application under Section 528 of BNSS prayed for a direction to club his counter complaint dated 30.07.2024 and conduct investigation.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that there is no provision of clubbing two complaints and conduct investigation. Further, the petitioner herein who had gone to the Government hospital in a drunken mode and committed crime of abuse and interference in the discharge of public duty by the doctor been booked for offence under Section 296(b), 132, 351(1) of BNSS & Section 3 of Tamil Nadu Medicare Service Persons & Medicare Service Institutions [Prevention of Violence & Damage or Loss to the Property] Act, 2008.. While so, he has sent a complaint by courier



CrI.O.P.No.21221 of 2024

alleging that Dr.Sebanantham misbehaved with him in a drunken mode and that complaint been registered in C.S.R.No.548 of 2024 dated 24.08.2024 and under enquiry.

4. This Court, on perusing the record, finds that the complaint of Dr.Sebanantham been registered in Crime No.172 of 2024. While so, the petitioner, who is the accused in that case, has sent a complaint through courier and same is also now been taken up for enquiry in C.S.R.No.548 of 2024. Hence, it is suffice to direct the respondent police to follow the Police Standing Order 566 and the direction of this Court passed in *Balaji Vs. State of Tamil Nadu* and proceed with the investigation.

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

03.09.2024

Index : Yes/No
Neutral Citation : Yes/No
rpl

Dr.G.JAYACHANDRAN,J.

rpl

To



CrI.O.P.No.21221 of 2024

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

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

3.The Public Prosecutor,
High Court of Madras,
Chennai.

CrI.O.P.No.21221 of 2024

03.09.2024