

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.10482 of 2015

Karthika

.. Petitioner

Vs

1.State by  
The Inspector of Police,  
Karungalpalayam Police Station,  
Karungalpalayam,  
Erode District.

2.The Superintendent of Police,  
Erode District,  
Erode.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to register the complaint dated 13.10.2014.

For Petitioner :Mr.V.Balamurugane

For Respondents :Mr.C.Emalias,  
Additional Public Prosecutor

ORDER

Seeking a direction to the respondent police to register the complaint dated 13.10.2014, the petitioner has come up with this petition.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.It is seen that the petitioner has lodged a complaint on 13.10.2014 in which, the respondent police appears to have conducted enquiry and closed the same on 30.12.2014 on the ground that the opposite party has not co-operated with the enquiry.

4.In my considered opinion, the complaint given by the petitioner dated 13.10.2014 disclose commission of cognizable offence and strangely, the respondent police closed the case as the proposed accused has not co-operated with the enquiry. Hence, I am inclined to issue a positive direction to the first respondent to

register F.I.R., on the complaint of the petitioner dated 13.10.2014 and the investigation shall be done by the Deputy Superintendent of Police, Erode Town Sub Division, Erode.

5.The learned Additional Public Prosecutor appearing for the respondents would submit that the petitioner may be directed to give a copy of the complaint to the first respondent as the original complaint may not be available with the respondent police.

6.In view of the said submission made by the learned Additional Public Prosecutor, the Criminal Original Petition is allowed with a direction to the petitioner to give a copy of the complaint dated 13.10.2014 to the first respondent and on such presentation, the first respondent is directed to register F.I.R., and the investigation shall be done by the Deputy Superintendent of Police, Erode Town Sub Division, Erode. Further, the petitioner is directed to give a copy of the complaint dated 13.10.2014 to the first respondent.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jbm

To

1.The Deputy Superintendent of Police,  
Erode Town Sub Division,  
Erode.

2.The Inspector of Police,  
Karungalpalayam Police Station,  
Karungalpalayam,  
Erode District.

3.The Superintendent of Police,  
Erode District,  
Erode.

4.The Public Prosecutor,  
High Court, Madras.

1 cc to Mr.V.Balamurugane ,Advocate, SR.No.22774

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tm(co)

pnk 14.5.2015

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