

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.05.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.O.P.No.11514 of 2015

V.M.Krishnan

: Petitioner

-Vs-

1.The District Superintendent of Police,
O/o.The District Superintendent of Police,
Vellore.

2.The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Ranipettai,
Vellore Taluk,
Vellore District.

3.State rep. By
The Inspector of Police (Law and Order),
D-5 Police Station,
Spicot, Ranipet,
Wallajah Taluk,
Vellore District.

4.C.Saravanan

: Respondents

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the District Superintendent of Police Vellore, Vellore District, the 1st respondent herein to direct the Deputy Superintendent of Police, Ranipet, Wallajah Taluk, Vellore District and the

Inspector of Police, D-5, Spicot Police Station, Ranipet, Wallajah Taluk, Vellore District, the 2nd respondent and 3rd respondent herein to register a case against C.Saravanan s/o.Chokkalingam of Maniyampattu Main Road, Spicot, Wallajah Taluk & Vellore District, the 4th respondent, on the basis of the petitioner's complaint, dated 03.03.2015 on the file of the respondents 1 to 3.

For Petitioner : M/s.Dalit Tiger C.Ponnusamy

For R1 to R3 : Mr.P.Govindarajan
Additional Public Prosecutor

O R D E R

This petition has been filed under section 482 Cr.P.C, praying to direct the respondents 1 to 3 to register a case, on the basis of the petitioner's complaint, dated 03.03.2015.

2.Heard learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent 1 to 3.

3.The learned counsel for the petitioner submitted that the 4th respondent is a tenant under the petitioner for the past 12 years and he committed default in paying the rents since 14.06.2013 and hence, the petitioner approached the 4th respondent and asked him to vacate the tenanted premises and the petitioner has also given an undertaking on 04.09.2013 stating that he would vacate the

tenanted premises within a month. But however, he refused to vacate the tenanted premises and when the same was questioned, he abused the petitioner with filthy language. Hence, the petitioner was constrained to lodge a complaint on 03.03.2015 before the Sub Inspector of Police, Spicot police station, Ranipet and also sent several representations to the higher officials by registered post. Since, no action has been taken by the respondents police, this petition is filed.

4.The learned Additional Public Prosecutor has submitted that based on the complaint given by the petitioner, dated 03.03.2015, petition enquiry is pending before the 3rd respondent police.

5.In view of the above, the 3rd respondent police is directed to conduct a preliminary enquiry, which shall not extend beyond a period of seven days from the date of receipt of a copy of this order, by following the judgement of the Hon'ble Supreme Court in ***Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)]***. In conducting the preliminary enquiry, they shall put the concerned parties upon notice. At the end thereof, if any cognizable offence is made out, they shall duly register a case. In the event of effecting closure of the case upon conducting a petition enquiry, a copy of the closure report shall be forwarded to the complainant.

6.The Criminal Original Petition is disposed of with the above direction.

21.05.2015

Index:Yes/No
Internet:Yes/No

dp/sri/er

K. KALYANASUNDARAM, J
dp/sri/er

To,

1. The District Superintendent of Police,
O/o. The District Superintendent of Police,
Vellore.
2. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Ranipettai,
Vellore Taluk,
Vellore District.
3. State rep. By
The Inspector of Police (Law and Order),
D-5 Police Station,
Spicot, Ranipet,
Wallajah Taluk,
Vellore District.

2. The Additional Public Prosecutor,
High Court, Madras.

Crl.O.P.No.11514 of 2015

21.05.2015

