

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2015

CORAM

THE HON'BLE MRS.JUSTICE S.VIMALA

CrI.O.P. No. 11516 of 2015

Periyasamy

.. Petitioner

Vs.

The Deputy Commissioner of Police
Central Crime Branch
Veppery
Chennai.

.. Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent to register a case as per the complaint of the petitioner dated 10.04.2015 vide C.No.354/CCB/Visitors/2015 and to file final report within a stipulated time.

For Petitioner : Mr.S.Arivazhagan

For Respondent : Mr.P.Govindarajan,
Additional Public Prosecutor

O R D E R

This petition has been filed under Section 482 Cr.P.C, for a direction to the respondent police to register a case for the alleged offence, based on the complaint of the petitioner dated 10.04.2015 and to investigate the same and to file a final report within a time frame.

2. Mr.S.Arivazhagan, the learned counsel appearing for the petitioner would submit that pursuant to the complaint, neither any case has been registered nor an investigation has been conducted. Hence, the petitioner has preferred the present petition, seeking a direction to register the case.

3. Mr.P.Govindarajan, the learned Additional Public Prosecutor would submit that inquiry is conducted to ascertain, as to whether cognizable offence is disclosed or not, and if disclosed, the respondent police will register the case following the decision of the Hon'ble Apex Court reported in 2013 (4) Crimes 243 (SC) (Lalitha Kumari Vs. Govt. of U.P. & others).

4. In the light of the above submission made by the learned Additional Public Prosecutor, it is hereby directed that if the inquiry discloses commission of any cognizable offence, the respondent police shall follow the dictum laid down by the Hon'ble Apex Court in Lalitha Kumari Vs. Govt. of U.P. & others reported in 2013 (4) Crimes 243 (SC) and register a case on the complaint of the petitioner, investigate thereupon and complete the investigation, as expeditiously as possible, in accordance with law.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Deputy Commissioner of Police
Central Crime Branch
Veppery
Chennai.

2. The Public Prosecutor,
High Court, Madras - 600 104.

1 cc to Mr.S.Arivazhagan ,Advocate, SR.No.24971

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pmk.13.5.2015

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