

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2015

CORAM

THE HON'BLE MRS.JUSTICE S.VIMALA

Cr1.O.P. No. 11555 of 2015

Catherine Kitty Feria

... Petitioner

Vs.

The State
Rep. by the Inspector of Police
K-9, Thiru-vi-ka Nagar Police Station
Chennai.

... Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent police to take the complaint of the petitioner dated 04.09.2014 on file, investigate the same and to file final report within the stipulated period under section 420 of IPC.

For Petitioner : Mr.A.Nagarajan

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 under Section 420 IPC, based on the complaint of the petitioner dated 04.09.2014 and to investigate the same and to file final report within a stipulated period.

2. Mr.A.Nagarajan, 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(AS)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police
K-9, Thiru-vi-ka Nagar Police Station
Chennai.
2. The Public Prosecutor,
High Court, Madras - 600 104.

सत्यमेव जयते

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CA(11/05/2015)

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