

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2015

CORAM

THE HON'BLE MRS.JUSTICE S.VIMALA

CrI.O.P. No. 11570 of 2015

Sankarayya Chettiar

.. Petitioner

Vs.

1.State by Inspector of Police
Aurovil P.S.
Thiruchitrambala
Vanuar Taluk
Pin-605 111.

2.D.I.G. of Police
Head Police Station
Villupuram.

3.Assistant Superintendent of Police
Office of Dty.Superintendent of Police
Vanur Taluk
Villupuram District.

4.Prabhudoss

5.Dayalarajan

6.Baskar

... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the third respondent to register a case as per the complaint of the petitioner dated 09.02.2015.

For Petitioner: Mr.J.R.K.Bhavanantham

For Respondents: 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 third respondent to register a case for the alleged offences, based on the complaint of the petitioner dated 09.02.2015 and to investigate the case.

2. Mr.J.R.K.Bhavanantham, 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 third 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 third 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

paa

To

1.The Inspector of Police
Aurovil P.S., Thiruchitrambala
Vanuar Taluk, Pin-605 111.

2.D.I.G. of Police
Head Police Station, Villupuram.

3.Assistant Superintendent of Police
Office of Dty.Superintendent of Police
Vanur Taluk, Villupuram District.

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

+ 1 cc to Mr.J.R.K.Bhavanantham, Advocate SR.24958

EU 13.05.2015

Cr1.O.P.No.11570 of 2015