

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2015

CORAM:

THE HONOURABLE MRS. JUSTICE S.VIMALA

CRL.O.P.No.11685 of 2015

K.N.Saraswathi

... Petitioner

vs.

1. The Deputy Superintendent of police ,
Office of the Deputy Superintendent of Police,
Pollachi, Coimbatore District.

2. State: Rep. By
Inspector of Police,
Mahalingapuram Police Station,
Coimbatore District

... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd respondent police to register the complaint preferred by the petitioner dated 22.01.2013 to the 1st respondent which is forwarded to the 2nd respondent police based on CSR No.42 of 2013, dated 6.2.2013.

For Petitioner : Mr.M.Venkadeshnan

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 2nd respondent to register a case for alleged offences, based on the complaint dated 22.01.2013 of the petitioner and to investigate the case. Pursuant to the complaint, neither has any case been registered nor an investigation conducted. Hence, the petitioner has preferred the present petition, seeking a direction to register the case.

2.This Court heard the learned Additional Public Prosecutor on the submissions made by the learned counsel for the petitioner.

3. If on the face of it, the complaint informs commission of cognizable offences, as has been repeatedly held and again reiterated in the decision of the Apex Court in Lalitha Kumari Vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)], the respondents are duty bound to register a case.

4.Accordingly, this Court directs the 2nd respondent to register a case on the complaint of the petitioner, if the same discloses a cognizable offence, and to investigate thereupon as early as possible and in accordance with law.

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

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

Ga/Rj

To

1. The Deputy Superintendent of police ,
Office of the Deputy Superintendent of Police,
Pollachi, Coimbatore District.
2. The Inspector of Police,
Mahalingapuram Police Station,
Coimbatore District
3. The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.M.Venkadeshnan, Advocate, S.R.No.24975

RSY(CO)
CA(13/05/2015)

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