

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.05.2015

CORAM

THE HON'BLE MRS.JUSTICE S.VIMALA

Cr1.O.P.No.11894 of 2015

D.Dinil Kumar

... Petitioner

Vs.

1. The State Rep by
The Assistant Commissioner of Police,
Saidapet, Chennai - 600 015.

2. The Inspector of Police,
J-1, Saidapet Police Station,
Saidapet, Chennai - 600 015.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd Respondent to register the complaint dated 26.04.2015 and to investigate the same as in accordance with law expeditiously and consequently direct the 1st respondent to monitor the investigation of the same.

For Petitioner : M/s.Nathan and Associates

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 the complaint dated 26.04.2015 and to investigate the same as in accordance with law expeditiously and consequently direct the 1st respondent to monitor the investigation of the same.

2.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.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 second 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 and to 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/-
Vacation Officer

//True Copy//

Sub-Assistant Registrar

To

1. The State Rep by
The Assistant Commissioner of Police,
Saidapet, Chennai - 600 015.
2. The Inspector of Police,
J-1, Saidapet Police Station,
Saidapet, Chennai - 600 015.
3. The Public Prosecutor,
High Court, Madras - 600 104.

+ 1 cc to M/s. Nathan Associates, Advocate SR 24970

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