

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2015

CORAM

THE HON'BLE MR. JUSTICE R.S.RAMANATHAN

Crl.O.P.No.329 of 2015

D.Sayed Rohith

.. Petitioner

vs.

1. The State

Rep by the Inspector of Police,
R1, Mambalam Police Station,
Chennai.

2. The Commissioner of Police,
Chennai.

.. Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to direct the respondents to reopen the petitioner's complaint dated 06.12.2014 and to register a FIR based on the same and direct investigation on the same to be done by some agency or officer other than the first respondent.

For Petitioner : Mr.R.Srinivas

For Respondents: Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

This petition has been filed, seeking direction to the respondents to reopen the petitioner's complaint dated 06.12.2014 and to register an F.I.R. based on the same and direct investigation on the same to be done by some agency or officer other than the first respondent.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor representing the respondents-Police.

3. Considering the allegations made in the complaint and in view of the dictum laid down by the Hon'ble Apex Court in re Lalita Kumari vs. Govt. of U.P. & others reported in [2013 (4) Crimes 243 (SC)] which has to be followed in letter and spirit viz., that if a cognizable offence is made out, the respondent-Police is duty bound

to register a case, this Criminal Original Petition is disposed of, by directing the first respondent to register a case on the basis of the petitioner's complaint, dated 06.12.2014 and investigate the same in accordance with law.

jvm

-s/d-

Assistant Registrar()

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
R1, Mambalam Police Station,
Chennai.
 2. The Commissioner of Police,
Chennai.
 3. The Public Prosecutor,
High Court, Madras.
- + 1 cc to Mr.R.Srinivas, Advocate SR 19096

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