

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

Criminal Original Petition No.5204 of 2015

C.Selvaraj

... Petitioner

vs.

Superintendent of Police
Central Bureau of Investigation
Shastri Bhavan, Chennai

... Respondent

Criminal O.P., filed under Section 482 of the Code of Criminal Procedure praying to initiate action against the respondent as per para 111(IV) of the Constitution Bench Judgment in W.P.(Crl)68 of 2008 dated 12.11.2013.

For Petitioner : Mr.Manikanda Vathan Chettiar
for M/s.Mathan Kumar.

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor (CBI Cases)

ORDER

This Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, 1973, praying to direct the respondent herein to register the complaint dated 16.06.2014 alleged to have been given by the petitioner.

2. The learned counsel appearing for the petitioner has contended that even though the complaint in question has been given on 16.06.2014, the respondent has not registered the same. Under the said circumstances, the present petition has been filed.

3. The learned Special Public Prosecutor (CBI Cases) appearing for the respondent has contended that there is no specific allegation in the complaint so as to attract penal provision and therefore, the same has not been registered.

4. Further it is contended on the side of the respondent that similar relief has been sought for by a different person and therefore, the present petition deserves to be dismissed.

5. It is an admitted fact that the petitioner has given the complaint in question to the respondent. The only contention raised on the side of the respondent is that no specific allegation is found place so as to attract any penal provision.

6. Considering the rival representations made on either side, this Court is of the view to give the following direction to the respondent:-

"In fine, the respondent is directed to look into the averments made in the complaint dated 16.06.2014; if any cognizable offence is made out, the respondent is directed to proceed further."

With the above observation, this CrI.O.P., is disposed of.

nvsri

s/d-
Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To :

- 1.The Superintendent of Police
Central Bureau of Investigation
Shastri Bhavan, Chennai
- 2.The Special Public Prosecutor (CBI cases)
High Court, Madras 104.

lrs(co)
prk27/8

सत्यमेव जयते

CrI.O.P.No.5204 of 2015

WEB COPY