



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.07.2015
CORAMTHE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
Crl.O.P.No.14223 of 2015

WEB COPY

.. Petitioner

K.Pandi

-Vs-

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.2.The Inspector of Police,
Austinpatti Police Station,
Austinpatti, Madurai District.

.. Respondents

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the second respondent to register a case against the accused on the complaint, dated 10.07.2015.

For Petitioner : Mr.T.Vadivelan

For Respondents : Mrs.S.Prabha Government Advocate (Crl.Side)

O R D E R

This petition has been filed under section 482 Cr.P.C, praying to direct the second respondent to register a case against the accused on the complaint, dated 10.07.2015.

2.Heard learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the State.

3.The learned counsel for the petitioner submitted that the petitioner borrowed amount from the proposed accused persons for the purpose of developing his business and thereafter, he repaid the same. But, the proposed accused persons threatened the petitioner and his family members demanding exorbitant interest and abused them with filthy language and assaulted them. Therefore, the petitioner gave a complaint to the respondents to register a case. Since, no action has been taken so far, the petitioner has come forward with this petition.

4.In view of the above, the second respondent police is directed to conduct a preliminary enquiry, which shall not extend beyond a period of seven days from the date of receipt of a copy of this order, by following the judgement of the Hon'ble Supreme Court in **Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)]**. In conducting the preliminary enquiry, they shall put the concerned parties upon notice. At the end thereof, if any cognizable offence is made out, they shall duly register a case. In the event of effecting closure of the case upon conducting a preliminary enquiry, a copy of the closure report shall be forwarded to the complainant.



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

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar.

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To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Austinpatti Police Station,
Austinpatti, Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
+1CC to Mr.T.Vadivelan Advocate SR.No.42176

Cr1.O.P(MD) .No.14223 of 2015

Dated: 27.07.2015

GJM -11.8.15/2P-4C