



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 05.08.2015

CORAM:

THE HONOURABLE Ms.JUSTICE R.MALA

CRL.O.P.(MD)No.15125 of 2015

P.Raja

... Petitioner

Vs.

The Inspector of Police, (L&O)
Thilagarthidal Police Station,
Madurai City.

... Respondents

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register a case based on the complaint, dated 28.07.2015 and pass any other order as this Court may deem fit as to the facts and circumstances of the case.

For Petitioner	: Mr.V.Maharajan
For Respondents	: Mr.A.P.Balasubramani Government Advocate (Crl. Side)

O R D E R

This petition has been filed praying to direct the respondent to register a case based on the complaint, dated 28.07.2015.

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

3.The learned counsel for the petitioner would submit that the petitioner has come forward with this application for a direction directing the respondent to register a case on the basis of the complaint given by the petitioner on 28.07.2015. He would further submit that since there was dispute between the tenant and the petitioner, the petitioner has lodged a complaint and he prays for a direction to the respondent to register a case.

4.This Court has perused the records. The petitioner has filed the copy of the postal receipt, which would show that that the complaint has been sent on 29.07.2015 and this Criminal Original Petition is filed on 31.07.2015.

5. As per the judgment of the Hon'ble Supreme Court in **Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)]**, the respondent shall conduct preliminary enquiry within 7 days and register a case if any cognizable offence is made out. In this case, the petitioner has filed this petition only after two days from sending the complaint.



6. In such circumstances, this petition is dismissed as premature.

Ses

Sd/-

Assistant Registrar(CO)

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/True Copy/

Sub Assistant Registrar.

To

1. The Inspector of Police, Thilagarthidal Police Station, Madurai City.
2. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

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2P/3C

AM/18.08.2015.