



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Criminal Original Petition (MD) No.15285 of 2015

WEB COPY

B.Gunasekaran

... Petitioner

Vs

1.The Superintendent of Police,
Madurai District,
Madurai - 625 007.

2.The Sub-Inspector of Police,
Austinpatti Police Station,
Madurai - 625 008.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the second respondent police to register the case on the basis of the petitioner's complaint dated 27.07.2015.

For Petitioner :Mr.S.Mahendrapathy

For Respondents :Mr.K.Anbarasan
Govt. Advocate(Crl. Side)

ORDER

The petitioner has come forward with the present petition seeking a direction to the second respondent to register a case on the basis of the complaint given by him dated 27.07.2015.

2. Heard both sides.

3. As per the dictum laid down in **Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC)]**, the Investigating Agency must be given seven days time to conduct enquiry and register a case, if any cognizable offence is made out.

4. However, in the case on hand, a perusal of the typed-set of papers would go to show that the complaint has been sent to the first respondent by registered post only on 30.07.2015 and this petition has been filed on 04.08.2015. Therefore, I am of the view that it is too premature to consider the petition at this stage. Hence, this Criminal Original Petition is dismissed, as it is premature.

Sd/-

Assistant Registrar(T&P)

/TRUE COPY/

Sub Assistant Registrar



To

1.The Superintendent of Police,
Madurai District,
Madurai - 625 007.

2.The Sub-Inspector of Police,
Austinpatti Police Station,
Madurai - 625 008.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Mahendrapathy,Advocate SR.No.45281

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