



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Criminal Original Petition (MD) No.15289 of 2015

Pai.Velusamy

... Petitioner

Vs

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

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

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the second respondent to register the case on the petitioner's complaint dated 07.07.2015 and consequently direct the second respondent to investigate the same as per law within the time frame fixed by this Court.

For Petitioner : Mr.D.Balamurugapandi

For Respondents : Mr.K.Anbarasan

Govt. Advocate(Crl. Side)

ORDER

The petitioner has come forward with this petition seeking for a direction, directing the second respondent to register a case on the basis of the complaint given by him on 07.07.2015.

2. The learned counsel for the petitioner submitted that the petitioner has given a complaint to the second respondent as early as on 07.07.2015, but, however, the second respondent police had not taken any steps to register a case and hence, the petitioner has come forward with this petition for the above stated relief.

3. Resisting the same, the learned Government Advocate (Crl. Side), on instructions, would submit that based on the complaint given by the petitioner in C.S.R.No.270 of 2015, after issuance of summons, the petitioner is not co-operating with the enquiry and hence, prayed for dismissal of this petition.

4. Considering the rival submission made on both sides, the petitioner is directed to co-operate with the enquiry and the second



respondent is directed to make an enquiry as expeditiously as possible in accordance with law and follow the dictum laid down in **Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC)]** and register a case, if any cognizable offence is made out.

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

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

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

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

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

+lcc to Mr.D.Balamurga Pandi, Advocate SR.No.44773

akm/17.08.15 /2p-5c/

Cr1.O.P(MD)No.15289 of 2015
07.08.2015