



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2015

CORAM:

THE HONOURABLE MS.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) No.16156 of 2015

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M.Mohammd Kasim

... Petitioner

Vs.

1. The State of Tamil Nadu,
represented by the Commissioner of Police,
Trichy District.

2. The Inspector of Police,
Palakkarai Police Station,
Trichy District.

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent to register a case on the complaint of the petitioner dated 13.07.2015 and investigate the same in accordance with law.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mrs.S.Prabha

Government Advocate (Crl.Side)

O R D E R

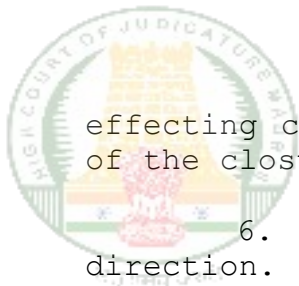
This petition has been filed for a direction to the second respondent to register a case on the complaint of the petitioner dated 13.07.2015 and investigate the same in accordance with law.

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

3. The learned counsel for the petitioner submitted that the petitioner sent a complaint to the second respondent on 13.07.2015 to take appropriate action against the proposed accused, who abused the petitioner with filthy language. Even after receiving the above said complaint, no action has been taken on the complaint. Hence, the present petition has been filed.

4. The learned Government Advocate(Crl.side) on instruction would submit that petition enquiry is pending.

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 second respondent may 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. 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 petition 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.

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/True Copy/

Sd/-
Assistant Registrar

Sub Assistant Registrar

To

1. The Commissioner of Police,
Trichy District.
2. The Inspector of Police,
Palakkarai Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.C.K.M.Appaji, Advocate SR.No.48335

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21.08.2015

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NS/JGB-DP/SAR J/10.09.2015 : 2P/5C