



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2015

CORAM:

THE HONOURABLE MS.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) No.16188 of 2015

V.M.P.Pathivu

... Petitioner

Vs.

1. State represented by
the Superintendent of Police,
Theni District.

2. The Inspector of Police,
Kadamalaikundu Police Station,
Theni 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 basis of the petitioner's complaint dated 06.08.2015.

For Petitioner : Mr.S.Vanchinathan

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 basis of the petitioner's complaint dated 06.08.2015.

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 06.08.2015 to take appropriate action against the proposed accused, who threatened 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.

WEB COPY

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

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Theni District.
2. The Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.S.Vanchinathan, Advocate in SR.No 48423

TS/02.09.2015/2P - 5C SKS-RR/SAR

Cr1.O.P(MD).No.16188 of 2015

21.08.2015