



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2015

CORAM:

THE HONOURABLE MS.JUSTICE K.KALYANASUNDARAM

Crl.O.P. (MD) No.16220 of 2015

WEB COPY

R.S.Prabhu

... Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2. The State represented by
the Sub Inspector of Police,
Krishnankovil Police Station,
Krishnankovil,
Kanyakumari District.

... Respondents

PRAYER: This Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents particularly, the second respondent to register his complaint dated 10.08.2015 and subsequently conduct the investigation in accordance with law and lay the final report before the Court concerned forthwith against the said offender.

For Petitioner : Mr.S.Palanivelayutham

For Respondents : Mrs.S.Prabha

Government Advocate (Crl.Side)

O R D E R

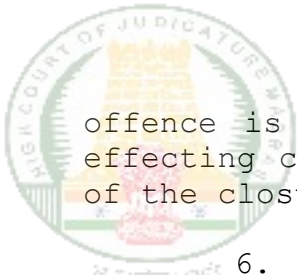
This petition has been filed for a direction to the respondents particularly, the second respondent to register the petitioner's complaint dated 10.08.2015 and subsequently, conduct the investigation in accordance with law and lay the final report before the Court concerned forthwith against the said offender.

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 10.08.2015 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.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Kanyakumari District,
Nagercoil.
2. The Sub Inspector of Police,
Krishnankovil Police Station,
Krishnankovil,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Palanivelayutham, Advocate SR.No.48947

Cr1.O.P(MD).No.16220 of 2015

21.08.2015

NS/NGM-SS/SAR PA/07.09.2015 : 2P/5C