



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Criminal Original Petition(MD) No.16426 of 2015

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S.Sisiley Jai,
W/o.Mani

: Petitioner

Vs.

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

2.The Inspector of Police,
Nithiraivilai Police Station,
Vilavancode Taluk,
Kanyakumari District.

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent to register a criminal case against the accused based on the complaint dated 7.8.2015 preferred by the petitioner and to take action against the accused in accordance with law.

For Petitioner :Mr.S.Titus

For Respondents :Mr.P.Kannithevan
Government Advocate(Crl. Side)

O R D E R

The petitioner has come forward with this petition seeking for a direction, directing the second respondent to register a criminal case against the accused based on the complaint dated 07.08.2015 preferred by the petitioner and to take action against the accused in accordance with law.

2. The learned counsel for the petitioner submitted that the petitioner has given a complaint to the second respondent as early as on 07.08.2015, 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. At this juncture, the learned Government Advocate(Crl. Side), on instructions, would submit that based on the complaint given by the petitioner, petition enquiry is pending in CSR No.231 of 2015.

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4. Considering the rival submission made on both sides, the second respondent is directed to expedite the enquiry 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(CO)

/TRUE COPY/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Nithiraivilai Police Station,
Vilavancode Taluk,
Kanyakumari District.

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

+2cc to Mr.S.Titus,Advocate SR.No.49075

Order made in
Crl.O.P. (MD) No.16426 of 2015
26.08.2015

ses
PA/KBM/SAR (J) /31.08.2015/2P/6C