



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Criminal Original Petition (MD) No.16616 of 2015
and
MP (MD) No.1 of 2015

F.Abdul Azees : Petitioner

Vs.

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

2.The Inspector of Police,
District Crime Branch,
Kanyakumari District.

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the second respondent to register the complaint dated 13.10.2014 preferred by the petitioner for the offences punishable under Sections 420, 463, 464, 466, 470 and 471 IPC and to take action against the accused persons in accordance with law and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.A.Velan
For Respondents : Mr.P.Kannithevan,
Government Advocate (Crl. Side)
For Intervener : Mr.N.Mohamed Asif

ORDER

The petitioner has come forward with this petition seeking for a direction, directing the second respondent to register the complaint dated 13.10.2014 preferred by the petitioner for the offences punishable under Sections 420, 463, 464, 466, 470 and 471 IPC and to take action against the accused persons in accordance with law.

2.The learned counsel for the petitioner would submit that the petitioner has given a complaint to the respondents on 13.10.2014, but 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 on the basis of the complaint given by the petitioner, petition enquiry is pending.

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. In view of the order passed in this Criminal Original Petition, M.P.No.1 of 2015 is dismissed.

Sd/-

Assistant Registrar (Writ)

/True Copy/

Sub Assistant Registrar

To

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

+ 1 CC TO M/S.AJMAL ASSOCIATES, IN SR NO. 61203
+ 1 CC TO MR.N.MOHAMED ASIF, ADVOCATE IN SR NO. 61509

SES

TE/JGB/: 29/10/2015 : 2P/6C

Order made in
Crl.O.P. (MD) No.16616 of 2015
and
MP (MD) No.1 of 2015
Dated:
14.10.2015