



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.09.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA
Criminal Original Petition(MD) No.18696 of 2015

Moosa Naina

: Petitioner

Vs.

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

2.The Inspector of Police,
Arumuganeri Police Station,
Arumuganeri, Thoothukudi District.

3.The Sub-Inspector of Police,
Arumuganeri Police Station,
Arumuganeri, Thoothukudi District.

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the third respondent to register the case on the basis of the petitioner's complaint dated 23.08.2015 against the proposed accused namely (1) Syed Mohammed S/o.Abdul Hameed (2) Mahmooth (Phatta) S/o. Mohammed Moideen, (3) Jauffer, S/o. Jailani (4) Meera Sahib S/o Siddeq (5) Sehu (Thakkalai) S/o. Syed Mohammed and 10 known persons and investigate the matter in accordance with law and pass such further or other order as this Court may deem fit and proper in the circumstances of the case.

For Petitioner :Mr.R.R.Kannan

For Respondents :Mr.A.P.Balasubramani

Government Advocate(Crl. Side)

O R D E R

The petitioner has come forward with this petition seeking for a direction, directing the third respondent to register the case on the basis of the petitioner's complaint dated 23.08.2015 against the proposed accused.

2. The learned counsel for the petitioner submitted that the petitioner has given a complaint to the third respondent as early as on 23.08.2015, but, however, the third 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 in C.S.R.No.285/2015, petition enquiry is going on.

4. Considering the rival submission made on both sides, the third respondent is directed to expedite the enquiry and follow the dictum laid down in *Jalitha 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 -WRIT

WEB COPY

/TRUE COPY/

Sub Assistant Registrar

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To,

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

2. The Inspector of Police,
Arumuganeri Police Station,
Arumuganeri,
Thoothukudi District.

3. The Sub-Inspector of Police,
Arumuganeri Police Station,
Arumuganeri,
Thoothukudi District.

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

+1 cc to MR.R.R.KANNAN , ADVOCATE, SR NO: 57165

JAM/ KBM /09.10.2015/ 2P-6C

Order made in

Cr1.O.P. (MD) No.18696 of 2015

Dated:-
29.09.2015