



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2015

CORAM:

WEB COPY

THE HONOURABLE Mr. JUSTICE S.VAIDYANATHAN

Crl.O.P.(MD)No.19038 of 2015

S.Avvaiyar

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Vallioor Police Station,
Tirunelveli District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., directing the 2nd respondent to register FIR against the proposed accused persons based on the complaint of the petitioner dated 16.08.2015.

For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.A.P.Balasubramani, G.A.(Crl.side)

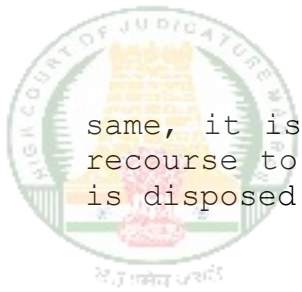
O R D E R

The petition has been filed under Section 482 Cr.P.C., directing the 2nd respondent to register FIR against the proposed accused persons based on the complaint of the petitioner dated 16.08.2015.

2.The learned Government Advocate (Crl.side) appearing for the respondents Police on instruction would submit that the complaint has been received by the respondent Police and the same will be enquired into and if any *prima facie* case is made out, the said complaint would be registered and the investigation would be completed.

3.Considering the submissions made on either side, this Court is inclined to direct the respective Police to enquire into the veracity of the complaint in adherence to the principles and directions laid down by the Honourable Apex Court in the case of *Lalita Kumari -Vs-Government of U.P and others* reported in 2013(4) Crimes 243 (SC) and complete the same within a period of one month from the date of receipt of a copy of this order. In the event of the respondent Police finding any *prima facie* case in the complaint of the petitioner, they shall register a case within a period of one week thereafter.

4. In case of closure of complaint, the respective respondent Police is directed to send a copy of the closure report to the petitioner within a period of one week from the date of closure. On receipt of the



same, it is open to the petitioner either to make a private complaint or recourse to any other provisions of law. The Criminal Original petition is disposed of accordingly.

Sd/-
Assistant Registrar (Per.Admn)

/True Copy/

Sub Assistant Registrar

To,

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Vallioor Police Station,
Tirunelveli District.

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

+1CC to Mr.S.Balamurugan Advocate Sr.No.65503

GJM/JGB/DP/23.11.2015-2P-5C

Crl.O.P.(MD)No.19038 of 2015
Dated : 16.11.2015