



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2015

CORAM:

THE HONOURABLE Mr. JUSTICE S.VAIDYANATHAN

Crl.O.P.(MD)No.20244 of 2015

D.Simson

... Petitioner

Vs.

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

2.The Assistant Superintendent of Police,
Thuckalai Sub Division,
Kanyakumari District.

3.The Inspector of Police,
Kothikode Police Station,
Kanyakumari District.

4.The Inspector of Police,
District Crime Branch,
Nagercoil.

(4th respondent is impleaded vide order dated 16.11.2015 in M.P.
(MD)No.1 of 2015) ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., directing the 3rd respondent to register a case on the complaint of the petitioner dated 25.09.2014, 13.01.2015 and 01.06.2015.

For Petitioner : Mr.T.Selvan

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

ORDER

The petition has been filed under Section 482 Cr.P.C., directing the 3rd respondent to register a case based on the complaints of the petitioner dated 25.09.2014, 13.01.2015 and 01.06.2015.

2.The learned Government Advocate (Crl.side) appearing for the respondent 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 4th respondent Police to enquire into the veracity of the complaints 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 complaints of the petitioner, he shall register a case within a period of one week thereafter.

4. In case of closure of complaint, the 4th 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(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Kanyakumari District, Nagercoil.
2. The Assistant Superintendent of Police,
Thuckalai Sub Division,
Kanyakumari District.
3. The Inspector of Police,
Kothikode Police Station,
Kanyakumari District.
4. The Inspector of Police,
District Crime Branch,
Nagercoil.

+1cc to Mr.T.Selvan, Advocate Sr.No.65572

nbj

AA/NGM-SS/SAR-II/23.11.2015/2p-6c

Cr1.O.P. (MD) No.20244 of 2015
16.11.2015