



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2015

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHANCrl.O.P.(MD) No.20352 of 2015

A.Pethakkaal

... Petitioner

Vs.

1. The Superintendent of Police,
Thoothukudi District, Thoothukudi.
2. The Inspector of Police,
Pudur Police Station,
Nagalapuram Pudur, Pudur Union,
Vilathikulam Taluk, Thoothukudi District.
3. The District Collector,
Thoothukudi District,
Thoothukudi.

.. Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure to direct the 2nd respondent to register a criminal case against the accused based on the complaint dated 11.09.2015 preferred by the petitioner and to take action against the accused in accordance with law.

For Petitioner : Mr.M.Mohamed Rafi

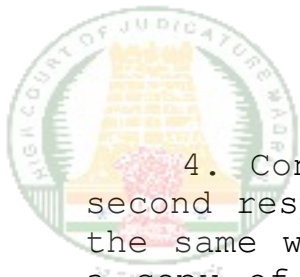
For Respondents : Mr.A.P.Balasubramani
Govt. Advocate (Crl.Side)

O R D E R

This is a petition filed seeking a direction to the 2nd respondent to register a criminal case against the accused based on the complaint dated 11.09.2015 preferred by the petitioner and to take action against the accused in accordance with law.

2. The counsel for the petitioner has submitted that though the petitioner has given a complaint to the second respondent as early as on 11.09.2015, the second respondent has not yet taken any steps to register a case. Hence, the petitioner has come forward with this petition seeking the relief as stated above.

3. At this juncture, the Government Advocate (Crl. Side), on instructions, would submit that on the basis of the complaint given by the petitioner, petition enquiry in C.S.R.No.122 of 2015



4. Considering the rival submissions made on both sides, the second respondent is directed to expedite the enquiry and complete the same within a period of one month from the date of receipt of a copy of this order, by duly following 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. In case of closure, a copy of the closure report be furnished to the petitioner within a week of closure. On receipt of the same, it is open to the petitioner to work out his remedy before the appropriate forum in accordance with law, if so desired.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub Assistant Registrar.

To:

1. The Superintendent of Police,
Thoothukudi District, Thoothukudi.
2. The Inspector of Police,
Pudur Police Station,
Nagalapuram Pudur, Pudur Union,
Vilathikulam Taluk, Thoothukudi District.
3. The District Collector,
Thoothukudi District,
Thoothukudi.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ar

RL/5C/AMF/18/11/2015

Crl.O.P. (MD) No.20352 of 2015