



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2015

CORAM:

THE HONOURABLE Mr. JUSTICE S. VAIDYANATHAN

WEB COPY

Crl.O.P. (MD) No. 21376 of 2015

Stella Mary

... Petitioner

Vs.

1. The Commissioner of Police,
Trichy District.

2. The Inspector of Police,
Yedamalaipatti Pudur Police Station,
Trichy District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent herein to instruct the second respondent to register a case on petitioner's complaint dated 09.10.2015.

For Petitioner

: Ms. Chamundi Bose

For Respondents

: Mr. A. P. Balasubramani

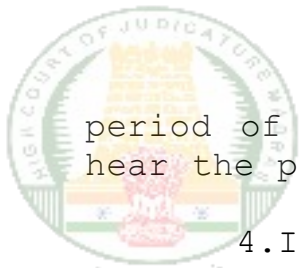
Government Advocate (Crl. Side)

ORDER

The petition has been filed under Section 482 Cr.P.C., to direct the first respondent herein to instruct the second respondent to register a case on petitioner's complaint dated 09.10.2015 against the proposed accused.

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 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. The respondent police shall also hear the persons who are going to be affected in this matter.

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(Writ)

/True Copy/

Sub Assistant Registrar(CS-I)

Madurai Bench of Madras High Court,
Madurai-625 023

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To

1. The Commissioner of Police,
Trichy District.

2. The Inspector of Police,
Yedamalaipatti Pudur Police,
Trichy District.

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

+1 cc to Mr.M.Saravanan,Advocate, SR No. 65379

CRL.OP. (MD) No.21376 of 2015
06.11.2015

RG.AN-MP/SAR-II 24.11.2015 2P/5C