



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2015

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Criminal Original Petition(MD) No.7164 of 2015

Ramu : Petitioner

Vs.

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

2.The Inspector of Police,
Thirupachethi Police Station,
Sivagangai District.

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the second respondent to register a case for an alleged offence punishable under Sections 406 and 420 of I.P.C on the basis of the petitioner's complaint given to the 2nd respondent dated 07.04.2015.

For Petitioner :Mr.R.Murugappan

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 second respondent to register a case for alleged offences punishable under Sections 406 and 420 of I.P.C on the basis of the petitioner's complaint given to the 2nd respondent dated 07.04.2015.

2.The learned counsel for the petitioner submitted that the petitioner has given a complaint to the second respondent, since no action has been taken by the second respondent, the petitioner presented the petition to both the respondents through post on 07.04.2015, but, however, the respondents 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 on the basis of the complaint given by the petitioner, enquiry was conducted and subsequently, it was closed. He would further submit that the petitioner did not co-operate with the enquiry.



4. Considering the rival submission made on both sides, the petitioner is directed to co-operate with the enquiry and similarly, the second respondent is directed to expedite the enquiry and follow 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.

5. The Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police,
Sivagangai District,
Sivagangai

2.The Inspector of Police,
Thirupachethi Police Station,
Sivagangai District.

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

+One cc to Mr.R.Murugappan, Advocate, SR.No.47255

Ns

RL/5 c- 26/8/2015

Order made in

Crl.O.P.(MD)No.7164 of 2015

Dated:-
18.08.2015