

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.109 of 2016

V.Vijayakumar

... Petitioner

Vs

1.State by

Sub Inspector of Police,
T9 Pattabiram Police Station,
Chennai-72.

2.P.Suryanarayanan

3.J.Nesakumar

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the first respondent to investigate the offence committed by respondents 2 and 3 as per the complaint lodged by the petitioner under C.S.R.No.231 of 2015, dated 29.07.2015 into a cognizable offence, in accordance with the directions of the Hon'ble Supreme Court in Lalitha Kumari's case and to complete the investigation and file final report within a time frame as expeditiously as possible.

For Petitioner : Mr.S.Xavier Felix

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor.

सतयमेव जयते
O R D E R

The present criminal original petition has been filed seeking a direction to the first respondent to investigate the offence committed by respondents 2 and 3, as per the complaint lodged by the petitioner under C.S.R.No.231 of 2015, dated 29.07.2015 into a cognizable offence, in accordance with the directions of the Hon'ble Supreme Court in Lalitha Kumari's case and to complete the investigation and also file final report within a time frame as expeditiously as possible.

2.The petitioner herein lodged a complaint on 29.07.2015 before the first respondent against one P.Suryanarayanan and J.Nesakumar, who are respondents 2 and 3 in

the petition stating that the respondents 2 and 3 borrowed money from the petitioner. It is further alleged that when the petitioner demanded money from respondents 2 and 3, the respondents 2 and 3 along with their hench-men have threatened the petitioner with dire consequences. Hence, the petitioner lodged a complaint before the first respondent police on 29.07.2015. On receipt of the same, C.S.R.No.231 of 2015 has been assigned by the first respondent police. But, no action has been taken so far. Hence, the petitioner has filed the present criminal original petition.

3.I have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

4.The learned Additional Public Prosecutor appearing for the first respondent submitted that on receipt of the complaint given by the petitioner dated 29.07.2015, C.S.R.No.231 of 2015 has been assigned by the first respondent and the first respondent would conduct enquiry on the complaint given by the petitioner.

5. In view of the submissions made on either side, this Court directs the first respondent police to conduct enquiry on the complaint of the petitioner dated 29.07.2015 in C.S.R.No.231 of 2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the first respondent is directed to proceed further in accordance with law, as early as possible and if no prima facie case has been made out, the first respondent is at liberty to pass appropriate order on the complaint given by the petitioner.

6. This criminal original petition is disposed of accordingly.

-s/d-
सत्यमेव जयते
Assistant Registrar

True Copy

WEB COPY
Sub-Assistant Registrar

ari

To

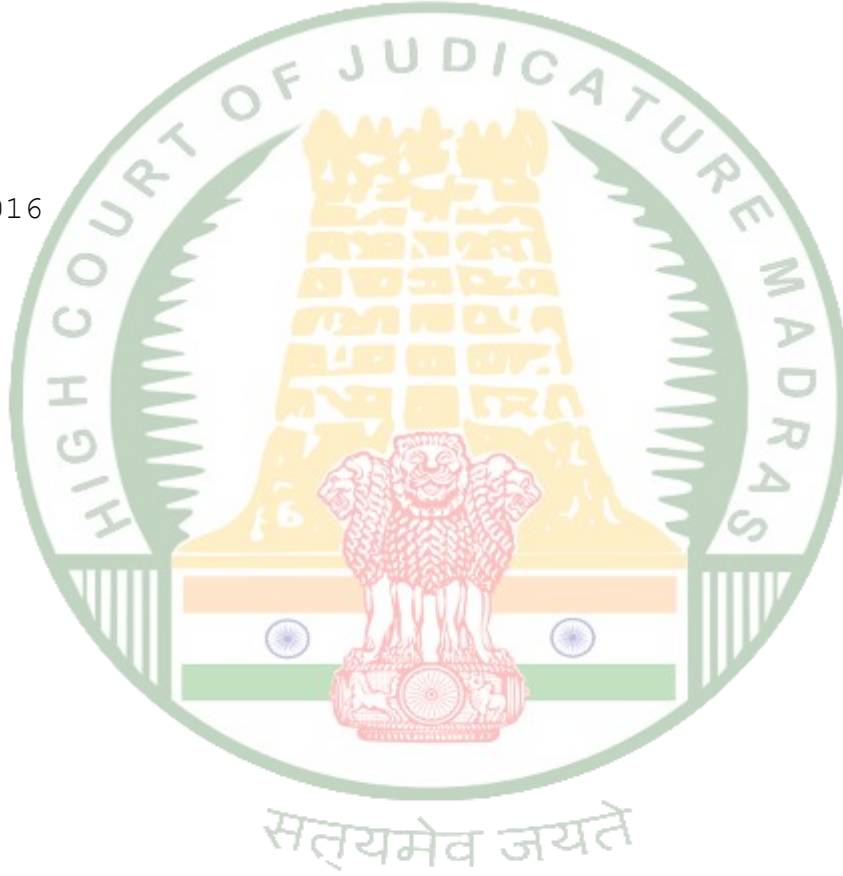
1.The Sub Inspector of Police,
T9 Pattabiram Police Station,
Chennai-72.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.S.Xavier fleix Advocate sr.699/16

Cr1.O.P.No.109 of 2016

gj (co)
aa12/01/2016



WEB COPY