

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.OP.No.13887 of 2016

B.Suganchand Bothra

... Petitioner

Vs

1.State by
The Commissioner of Police,
Chennai District,
Chennai.

2.State by
The Inspector of Police,
C-2, Elephant Gate Police Station,
Sowcarpet,
Chennai.

... Respondents

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd respondent to register an FIR on the complaint dated 07.07.2015 on the file of the 2nd respondent.

For Petitioner : No appearance
For Respondents : Mr.C.Emalias, APP

ORDER

This petition has been filed to direct the 2nd respondent to register FIR on the petitioner's complaint dated 07.07.2015.

2. No representation for the petitioner on 11.07.2016 and today also, there is no representation.

3. Heard the learned Additional Public Prosecutor appearing for the respondents and perused the materials placed on record.

4. On the complaint dated 07.07.2016 given by the petitioner, petition enquiry is pending in CSR.No.313 of 2015.

5. Learned Additional Public Prosecutor submitted that the counter petitioner is not available and therefore, the Police are not able to proceed with the enquiry.

6. Under such circumstances, the 2nd respondent police is directed to conduct enquiry and during the course of enquiry, if any cognizable offence is made out, a regular case shall be registered, following the decision laid down by the Hon'ble Supreme Court in *Lalita Kumari Vs. Government of Uttarpradesh and Others* reported in [2014] 2 SCC 1, otherwise close the complaint under intimation to the petitioner.

With the above direction, this petition is closed.

08.08.2016

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To

1.The Commissioner of Police,
Chennai District,
Chennai.

2.The Inspector of Police,
C-2, Elephant Gate Police Station,
Sowcarpet,
Chennai.

3.The Public Prosecutor,
High Court, Chennai.

P.N.PRAKASH, J.

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