

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2016

Coram:

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.14605 of 2016

P.Sivakumar

... Petitioner

Vs.

1.The State rep.by
The Superintendent of Police,
Tiruppur District.

2. The Inspector of Police,
Mangalam Police Station,
Tiruppur District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd respondent herein to register the case on the petitioner's complaint dated 26.05.2016 (CSR No.154/2016) and to investigate the same and to file final report in accordance with law.

For Petitioner : Mr.A.Thiyagarajan

For Respondents : Mr.C. Emalias
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking a direction to the 2nd respondent herein to register the case on the petitioner's complaint dated 26.05.2016 (CSR No.154/2016) and to investigate the same and to file final report in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. When the matter is taken up for hearing, the learned Additional Public prosecutor appearing for the respondents submitted that earlier this petitioner lodged a complaint, based on which, a case in Crime No.56 of 2012 was registered on 18.02.2012 against Suresh Kumar and Ponnusamy. Now, again the petitioner lodged the present complaint dated 26.05.2016 alleging that on 25.05.2016, the said Suresh Kumar and Ponnusamy

have removed his Machines. On the complaint dated 26.05.2016, petition enquiry is pending in CSR No.154 of 2016.

4. Under such circumstances, the second respondent police is directed to conduct enquiry in CSR No.154 of 2016 expeditiously 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 v. Government of Uttarpradesh and Others reported in (2014) 2 SCC 1, otherwise the petition may be closed under intimation to the petitioner.

With the above directions, this Criminal Original Petition is closed.

sms

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

- 1.The State rep.by
The Superintendent of Police,
Tiruppur District.
2. The Inspector of Police,
Mangalam Police Station,
Tiruppur District.
- 3.The Public Prosecutor
High Court, Madras.

+lcc to Mr.A.Thiyagarajan, Advocate Sr.40134

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srg 11/08/2016

Crl.O.P.No.14605 of 2016