

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.15326 of 2016

G.Nandakumar

... Petitioner

Vs

1.The Commissioner of Police,
Greater Chennai,
O/O.Commissionerate of Chennai,
Egmore,
Chennai-600 008.

2.State rep.by
The Inspector of Police,
P-2, Otteri Police Station,
Saidapet,
Chennai.

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent to register the complaint dated 18.04.2016 and to investigate the same in accordance with law.

For Petitioner : Mr.Abdul

For M/s.Nathan & Associates

For Respondent : Mr.C.Emalias, APP

O R D E R

This petition has been filed to direct the 2nd respondent to register the complaint dated 18.04.2016 and to investigate the same in accordance with law.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondents and perused the materials placed on record.

3. It is seen that earlier, this petitioner has given two complaints, in which, petition enquiry was conducted and closed in CSR.No.63 of 2016 and 238 of 2016 and the same were closed. A copy of the closure report has been furnished to the learned counsel for the petitioner, across the bar. However, it is the case of the petitioner that he has lodged a fresh complaint dated 18.04.2016.

4. Learned Additional Public Prosecutor submitted that the petitioner has not attached any proof of having given the complaint dated 18.04.2016.

5. This Court perused the complaint dated 18.04.2016 and it is alleged by the petitioner that his wife is having illegal intimacy with one Lakshmanan. In a case of this nature, no positive direction can be issued as adultery is a non cognizable offence.

With the above observation, this petition is closed, with liberty to the petitioner to workout his remedies in the manner known to law.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1.The Commissioner of Police,
Greater Chennai,
O/O.Commissionerate of Chennai,
Egmore,
Chennai-600 008.

2.The Inspector of Police,
P-2, Otteri Police Station,
Saidapet,
Chennai.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.Nathan & associates,advocate,sr.47901.

ev(co)
krd 2/9

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सत्यमेव जयते

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