

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.175 of 2016

1. V.S.Krishna
2. V.Ratnakumari

Both are represented by
their Power of Attorney Agent
Mr.K.Prabhakar Naidu,
No.13/15, Ganga Nagar,
Kodambakkam,
Chennai - 600 024.

.. Petitioners

Vs.

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

2. State rep. by
The Inspector of Police,
Kannathur Police Station,
Muttukadu,
Chennai - 600 119.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to register a case on the basis of the complaint addressed to the first respondent on 04.06.2015 with a copy marked to the second respondent within a time fixed by this Court.

For Petitioners : Mr.A.Raghunathan,
Sr.Counsel for Mr.T.Karunakaran

For Respondents : Mr.C.Emalias
Addl. Public Prosecutor

O R D E R

The petitioners have come forward with this petition seeking for a direction to the respondent to register a case on the complaint given by the petitioner dated 04.06.2015.

2. The learned Senior Counsel appearing for the petitioners would submit that the petitioners herein have

given a complaint on 04.06.2015. But the second respondent has not shown any interest to enquire the matter and register the case. Hence, the petitioners have come forward with this petition for the above stated direction.

3. Even though an intimation has been sent to the second respondent, he has not given any instructions. Hence, he was directed to appear before this Court. The learned Additional Public Prosecutor conceded that the complaint given by the petitioner has been received and after enquiry, the second respondent has closed the complaint.

4. But the learned counsel for the petitioners submitted that without examining these petitioners, the complaint has been closed.

5. Considering the rival submissions made on both sides, the petitioners are directed to file a fresh complaint before the second respondent. On receipt of the same, the second respondent is directed to conduct 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.

6. With the above direction, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vrc

To

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

2. The Inspector of Police,
Kannathur Police Station,
Muttukadu,
Chennai - 600 119.

3. The Public Prosecutor
High Court, Chennai.

+1 cc to Mr.T.Karunakaran, Advocate, sr.7890

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