

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

CrI.O.P.No.2160 of 2016

L.Marthina .. Petitioner
Vs.

1.The Commissioner of Police
Greater Chennai Police
No.132, Commissioner office building
EVK Sampath road, Vepery, Chennai-8.

2.The State rep. by.
the Inspector of Police
P-5 M.K.B. nagar police station
Chennai-39. ... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent herein i.e. the Inspector of Police, P-5 M.K.B. Nagar police station, Chennai-39, to register the case pertaining to the petitioner's complaint dated 15.10.2015 in accordance with law.

For Petitioner :Mr.B.Ganesha Moorthy

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

O R D E R

The petitioner has come forward with this petition seeking for a direction to the second respondent to register a case pertaining to the petitioner's complaint dated 15.10.2015 in accordance with law.

2.The learned counsel for the petitioner submitted that her son has made life threat and he has been continuously harassing her. Hence, she lodged a complaint before the first respondent on 15.10.2015. But the respondents have not shown any interest to enquire the matter and register the case. Hence, the petitioner has come forward with this petition for the above stated relief.

3.Heard the learned Additional Public Prosecutor.

4.On perusal of the typed set of papers, it reveals that the petitioner has lodged a complaint before the first respondent and he has forwarded the same to the second respondent. But the petitioner has not filed any acknowledgment. However, learned counsel for the petitioner would take me to page No.2 of the typed set of papers, wherein it was stated that "remainder complaint to Commissioner of Police". But there is no document to show that the respondents have received the petitioner's complaint dated 15.10.2015. Therefore, the petitioner is 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.

5. The Criminal Original Petition is disposed of with the above direction.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

kj

To

1.The Commissioner of Police
Greater Chennai Police
No.132, Commissioner office building
EVK Sampath road, Vepery, Chennai-8.

2.The Inspector of Police
P-5 M.K.B. nagar police station
Chennai-39.

3.The Public Prosecutor
High Court, Chennai.

1 cc to Mr.B. Ganesamoorthy, Advocate, Sr. 6499

CrI.O.P.No.2160 of 2016

LRS (CO)
kk 15/2