

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.26 of 2016

S.Bhavani

... Petitioner

Vs

State represented by

1.The Police Commissioner,
Office of Commissioner of Police,
Chennai-7.

2.The Inspector of Police,
R-6, Kumaran Nagar Police Station,
Chennai-83.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register the case, investigate the matter, pertaining to the complaint dated 27.05.2015 vide C.S.R.No.337 of 2015 and to deal according to law.

For Petitioner : Mr.R.Rangarajan
For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking a direction to the respondent to register a case based on the complaint of the petitioner dated 27.05.2015 in C.S.R.No.337 of 2015 and investigate the same in accordance with law.

2.The petitioner lodged a complaint on 27.05.2015 as against one Balakrishnan Nadar before the respondents-police on the allegation that the petitioner let out her house to the counter petitioner for the period of 11 months; that on expiry of lease period, on 27.05.2015 when the petitioner, along with her daughter, went to the house of the counter petitioner and made a request to vacate the her house, the counter petitioner misbehaved with the daughter of the petitioner and also pushed the petitioner on the floor. Since no action was taken by the

respondents-Police on the petitioner's complaint, the petitioner has filed the present criminal original petition.

3.The learned Additional Public Prosecutor submitted that on receipt of the complaint of the petitioner, C.S.R.No.337 of 2015 has been assigned and the matter is pending for enquiry.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

5.In view of the submissions made by the petitioner as well as the Additional Public Prosecutor, this Court directs the 2nd respondent Police to conduct enquiry on the basis of the complaint given by the petitioner dated 27.05.2015 in C.S.R.No.337 of 2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the 2nd respondent is directed to proceed further in accordance with law, as early as possible. If no prima facie case is made out for registering the FIR, the 2nd respondent is directed to pass an appropriate order on the said complaint.

6.This criminal original petition is disposed of accordingly.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To,

1.The Police Commissioner,
Office of Commissioner of Police,
Chennai-7.

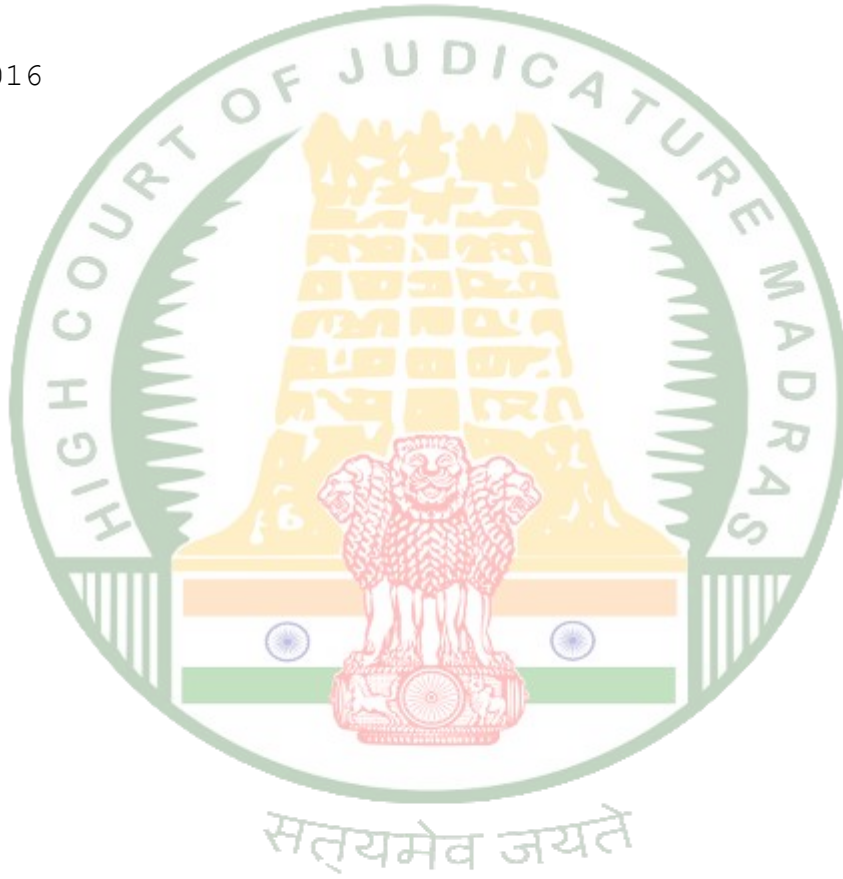
2.The Inspector of Police,
R-6, Kumaran Nagar Police Station,
Chennai-83.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.R.Rangarajan Advocate sr.759

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