

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.2648 of 2016

L.Sivaraj

.. Petitioner

Vs.

1.The Superintendent of Police
Office of the Superintendent of Police
Coimbatore-641 018.
Coimbatore District.

2.The Inspector of Police
Periyanaickan Palayam
Police station, Coimbatore-641 020
Coimbatore District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents 1 and 2 to register a case based on the petitioner's complaint dated 15.09.2015 duly lodged before the Inspector of Police, Periyanaickanpalayam police station, Coimbatore District, the second respondent herein with a copy to the Superintendent of Police, Coimbatore District, the first respondent herein and file a final report.

For Petitioner :Mr.D.Ashok Kumar

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

ORDER

The petitioner has come forward with this petition seeking for a direction to the respondents to register a case pertaining to the petitioner's complaint dated 15.09.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 15.09.2015, for which, C.S.R.No.403 of 2015 has been assigned. 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.At this juncture, the learned Additional Public Prosecutor, on instructions, would submit that on the basis of the complaint given by the petitioner, petition enquiry in C.S.R.No.403 of 2015 is going on.

4.Considering the rival submissions made on both sides, on the basis of the complaint made by the petitioner, as enquiry is going on in C.S.R.No.403 of 2015, the respondent is directed to expedite the 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/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police
Office of the Superintendent of Police
Coimbatore-641 018.
Coimbatore District.

2.The Inspector of Police
Periyanaickan Palayam
Police station, Coimbatore-641 020
Coimbatore District.

3.The Public Prosecutor
High Court, Chennai.

+ 1 cc to M/s. D. Ashok Kumar, Advocate SR.8000

KSJ(CO)
EU 15.02.16

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