

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.2778 of 2016

B.Shanthi

.. Petitioner

Vs.

1.The City Commissioner of Police,
Chennai City,
Vepery, Chennai.

2.The Assistant Commissioner of Police,
H-1, Old Washermenpet,
Chennai-21.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent police to register a case against Sundarajan and his son S.Raja in connection with complaint lodged by the petitioner on 14.12.2015.

For Petitioner : Mr.G.Veerapathiran

For Respondents : 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 police to register a case pertaining to the petitioner's complaint dated 14.12.2015

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 14.12.2015. But the respondent has 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 conducted and closed.

4.Considering the rival submissions made on both sides and on perusal of the typed set of papers, it is seen that closure report was yet to be given to the petitioner. Therefore, this Court is of the view that enquiry has to be re-opened and the Inspector of Police, Old Washermenpet has to enquire both the parties 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(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The City Commissioner of Police,
Chennai City,
Vepery, Chennai.

2.The Assistant Commissioner of Police,
H-1, Old Washermenpet,
Chennai-21.

3.The Public Prosecutor
High Court, Chennai.

4.The Inspector of Police,
Old Washermenpet,
Chennai.

+1cc to Mr.G.Veerapathiran, Advocate, S.R.No.8316

Cr1.O.P.No.2778 of 2016

nm(CO)
srg(18/02/2016)