

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2016

CORAM :

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

Crl.O.P.No.2802 of 2016

Bimmalraj

.. Petitioner

Vs.

1. The Commissioner of Police,
Chennai City,
Vepery, Chennai 600 007.

2. The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai.

.. Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent to register a case on the basis of the complaint dated 14.01.2016.

For Petitioner : Mr.K.S.Kaviarasu

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

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 14.01.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the second respondent on 14.01.2016, for which, C.S.R.No.21 of 2016 has been assigned. But the second 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 in C.S.R.No.21 of 2016 is going on. He would further submit that the petitioner did not co-operate with the enquiry.

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.21 of 2016, the second 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. The petitioner is directed to co-operate for enquiry.

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

kkd

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

To

1.The Commissioner of Police,
Chennai City,
Vepery, Chennai 600 007.

2.The Inspector of Police,
F-5, Choolaimedu Police Station,
Chennai.

3.The Public Prosecutor
High Court, Chennai.

+ 1 cc to M/s.K.S.KaviarasuAdvocate, SR 1004

rsy(co)
prk2/3

Crl.O.P.No.2802 of 2016

सत्यमेव जयते

WEB COPY