

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.2822 of 2016

R.Parvathymuthunathan

.. Petitioner

Vs.

The Inspector of Police,
R2 Police Station,
Kodampakkam, Chennai.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent police to register a case on the complaint dated 24.11.2015, investigate and file a final report.

For Petitioner : Mr.K.Gowthaman
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 respondent police to register a case pertaining to the petitioner's complaint dated 24.11.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 24.11.2015. 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 respondent is directed 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. The petitioner is directed to co-operate for enquiry and to produce the relevant documents.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

cse

To

1.The Inspector of Police,
R2 Police Station,
Kodampakkam, Chennai.

2.The Public Prosecutor
High Court, Chennai.

+1 cc to M/s.K.Gowthaman Advocate sr.8974

Cr1.O.P.No.2822 of 2016

aa19/02/2016

WEB COPY