

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.3101 of 2016

Palaniyammal

.. Petitioner

Vs.

1.The Superintendent of Police
Thiruvannamalai District.

2.The Inspector of Police
All Women Police Station
Polur Police Station
Thiruvannamalai Distrist
Thiruvannamalai.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent to register an F.I.R. based on the petitioner's complaint given to the first respondent dated 21.01.2016, which is presently pending before the second respondent.

For Petitioner :Ms.Gajalakshmi Rajendran

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 2nd respondent to register a case pertaining to the petitioner's complaint dated 21.01.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 21.01.2016, against her husband and brother-in-law. 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 receipt of the petitioner's complaint dated 21.01.2016, C.S.R.No.20 of 2016 has

been assigned. When the petitioner was called for enquiry, she did not appear. Therefore, the respondent police enquired the neighbours of the petitioner and closed the complaint stating that it is a matrimonial dispute. Hence, he prays for dismissal of this petition.

4. Considering the rival submissions made on both sides, the petitioner's complaint was closed without examining her. Therefore, the second respondent is directed to reopen the complaint filed by the petitioner and enquire the same. The petitioner is directed to appear before the second respondent for submitting herself for enquiry on 18.02.2016. 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.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Superintendent of Police
Thiruvannamalai District.

2.The Inspector of Police
All Women Police Station
Polur Police Station
Thiruvannamalai District
Thiruvannamalai.

3.The Public Prosecutor
High Court, Chennai.

+1cc to Gajalakshmi Rajendran, Advocate Sr.9460

Cr1.O.P.No.3101 of 2016

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