

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.3154 of 2016

S.M.S.Vijay Mani

... Petitioner/Defacto
Complainant

Vs.

State rep. By
Inspector of Police
R-8, Vadapalani Police Station
Vadapalani, Chennai.
(C.S.R.No.629 of 2015)

... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to register a case based on the petitioner's complaint dated 23.10.2015 in C.S.R.No.629 of 2015 and investigate the same in accordance with law.

For Petitioner : Mr.S.Kumara Devan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction to the respondent to register a case pertaining to the petitioner's complaint dated 23.10.2015 in C.S.R.No.629 of 2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 23.10.2015, for which, C.S.R.No.629 of 2015 has been assigned. 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 in C.S.R.No.629 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.629 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 IV)

//True Copy//

Sub Assistant Registrar

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To

1.Inspector of Police
R-8, Vadapalani Police Station
Vadapalani, Chennai.

2.The Public Prosecutor
High Court, Chennai.

+1cc to Mr.S.Kumara Devan, Advocate, S.R.No.9230

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MSM(CO)
CA(23/02/2016)

सत्यमेव जयते

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