

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.3779 of 2016

Divya Kavin Williams

... Petitioner

Vs.

The Inspector of Police,
AWPS, Vepery Police Station,
Vepery,
Chennai.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to issue direction, directing the respondent police to register the complaint dated 31.01.2016 lodged by the petitioner and pending enquiry in C.S.R.No.18 of 2016.

For Petitioner : Mr.J.C.Durairaj

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 31.01.2016 and to investigate and file a final report within the stipulated time.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 31.01.2016. 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/wife against her husband on 31.01.2016, C.S.R.No.18 of 2016 has been assigned and the

same was forwarded to the Social Welfare Department for enquiry. He further submitted that after receipt of the report from the Social Welfare Department, the respondent will register the case in accordance with the report.

4. Considering the rival submissions made on both sides, on the basis of the complaint made by the petitioner, as petition enquiry is pending before the Social Welfare Department, 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) after receipt of the report from the Social Welfare Department and register a case, if any cognizable offence is made out.

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,
AWPS, Vepery Police Station,
Vepery,
Chennai.

2. The Public Prosecutor
High Court, Chennai.

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Cr1.O.P.No.3779 of 2016

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