

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

CrI.O.P.No.3927 of 2016

Rajeshwari

.. Petitioner

Vs.

State rep. by
The Sub-Inspector of Police,
Ariyur Police Station,
Vellore District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to register a case on the basis of the petitioner's complaint dated 07.01.2016 in accordance with law.

For Petitioner : Mr.M.Rajendiran

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 to register a case pertaining to the petitioner's complaint dated 07.01.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 07.01.2016, for which, C.S.R.No.10 of 2016 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 the petitioner is an accused in three criminal cases viz., (i) on the basis of the complaint given by one Damayanthi, a case in Crime No.45 of 2016 has been registered, (ii) on the basis of the complaint given by one Rajeswari, a case in Crime No.46 of 2016 has been registered, (iii) on the basis of the complaint given by one Girirajan, a case in Crime No.52 of 2016 has been

registered. He would further submit that the counter petitioner viz., Sivakumar has lodged a complaint against the petitioner, for which, C.S.R.No.9 of 2016 has been assigned. Since the petitioner did not co-operate for enquiry, the respondent is not in a position to enquire the matter and register the case.

4.Considering the rival submissions made on both sides, on the basis of the complaint given by the petitioner, enquiry is pending in C.S.R.No.10 of 2016. Likewise, on the basis of the complaint lodged by the counter petitioner namely, Sivakumar, enquiry is pending in C.S.R.No.9 of 2016. Under such circumstances, the respondent is directed to expedite the enquiry in both C.S.R.Nos.9 and 10 of 2016 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.

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Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Sub-Inspector of Police,
Ariyur Police Station,
Vellore District.

2.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.M.Rajendiran, Advocate Sr 14685

KR/14/3/16

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