

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.3936 of 2016

P.Sivaraman

.. Petitioner

Vs.

State rep. by
Inspector of Police
Thirukoilur police station
Villupuram District.

... Respondent

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 16.12.2015 and investigate the same and file a final report in accordance with law.

For Petitioner :Mr.S.Senthil Murugan
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 16.12.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 16.12.2015, for which, C.S.R.No.465 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.465 of 2015 is pending. He would further submit that one Govindan and Gopi have also filed a complaint against the petitioner, which was taken as C.S.R.No.466 of 2015. Hence, both the parties were called for enquiry, but they were not co-operated for enquiry. Therefore, he prays for dismissal of this petition.

4. Considering the rival submissions made on both sides,

since petition enquiry is pending in C.S.R.No.465 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. The petitioner is directed to co-operate for enquiry.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To
1.Inspector of Police
Thirukoilur police station
Villupuram District.

2.The Public Prosecutor
High Court, Chennai.

+ 1 cc to Mr.S. Senthil Murugan, Advocate SR.11462

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SKV(CO)
Eu 1.03.16

सत्यमेव जयते

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