

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.4269 of 2016

A.Anjali
D/o.Arumugam

.. Petitioner

Vs.

1.The Inspector of Police
W-35, All Women Police
Tambaram, Chennai - 600 044.

2.R.Kumar

3.S.Radhakrishnan

4.R.Amirtham

.. Respondents

Prayer:

Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to register a case against the respondents 2 to 4 herein on the basis of the petitioner's complaint dated 06.01.2016 vide CSR No.16/2016, dated 06.01.2016 on the file of the first respondent.

For Petitioner : Dalit Tiger C.Ponnusamy

For Respondents : Mr.C.Emalias
Addl. Public Prosecutor, for R1
Mr.J.T.Rajasuria, for R2 TO R4

सत्यमेव जयते
O R D E R

The petitioner has come forward with this petition seeking for a direction to the first respondent to register the case against the respondents 2 to 4 herein on the basis of the petitioner's complaint dated 06.01.2016 vide CSR No.16/2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the first respondent on 06.01.2016, for which, CSR No.16/2016 has been assigned. But the first 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.On the other hand, the learned counsel appearing for the second respondent had filed a detailed counter affidavit denying all the allegations leveled against the 2nd respondent. Further it was stated therein that the 2nd respondent had returned all the belongings of the petitioner and a sum of Rs.1,35,000/- was paid by the parents of the petitioner to the 2nd respondent as compensation for the losses suffered by the 2nd respondent. While so, the present complaint has been preferred only with an ulterior motive and hence, the learned counsel for the 2nd respondent prayed for dismissal of the petition.

4.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 CSR No.16/2016 is going on.

5.Considering the rival submissions made on both sides, on the basis of the complaint made by the petitioner, as enquiry is going on in CSR No.16/2016, the first 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 also directed to co-operate for enquiry.

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

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Inspector of Police, W-35, All Women Police
Tambaram, Chennai - 600 044.

2.The Public Prosecutor, High Court, Chennai.

+ 1 cc to Dalit Tiger C.Ponnusamy, Advocate Sr 17180

+ 1 cc to Mr.J.T.Rajasuria, Advocate Sr 4318

KR/29/3/16

Cr1.O.P.No.4269 of 2016