

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

CrI.O.P.No.4370 of 2016

M.Sankar ... Petitioner/Defacto Complainant

Vs.

1.The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

2.The Inspector of Police,
Barur Police station,
Krishnagiri District.

... Respondents/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to register a case based on the petitioner's complaint dated 11.02.2016 and investigate the same and file a final report in accordance with law.

For Petitioner : Mr.K.Balu

For Respondents: Mr.C.Emalias
Addl. Public Prosecutor

सतममेन जयते
O R D E R

The petitioner has come forward with this petition seeking for a direction to the 2nd respondent to register a case pertaining to the petitioner's complaint dated 11.02.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the second respondent on 15.11.2015. He has also filed CrI.O.P.No.29407 of 2015 for issuing a direction to the respondent to register the case and this Court by an order dated 11.12.2015 directed the second respondent herein to conduct enquiry. He further submitted that even thereafter, the second respondent has not shown any interest to enquire the matter and register the case. Hence, the petitioner has lodged the complaint before the first respondent on 11.02.2016. As the respondents have

not taken any steps to register the case, 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 dated 15.11.2015, C.S.R.No.188 of 2015 has already been assigned and enquiry is going on.

4.Considering the rival submissions made on both sides, on the basis of the complaint given by the petitioner, as enquiry is going on in C.S.R.No.188 of 2015, the 2nd 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.

kj

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Superintendent of Police,
Krishnagiri District, Krishnagiri.
- 2.The Inspector of Police,
Barur Police station,
Krishnagiri District.
- 3.The Public Prosecutor, High Court, Chennai.

+ 1 cc to Mr.K.Balu, Advocate Sr 19190

KR/31/3/16

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