

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.4439 of 2016

C.Rabi

... Petitioner

Vs.

1.The Assistant Commissioner of Police  
Ambattur, Chennai.

2.The Inspector of Police  
Poonamallee police station  
Chennai-56.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to register the petitioner's complaint dated 13.01.2016 and investigate the same in accordance with law.

For Petitioner : Mr.K.Kalaikovan

For Respondents : Mr.C.Emalias  
Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction to the second respondent to register a case pertaining to the petitioner's complaint dated 13.01.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 13.01.2016, for which, C.S.R.No.28 of 2016 has been assigned. But the respondents have 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.28 of 2016 is going on. He would further submit that the proposed accused namely, Jabakumar has also given a complaint against the petitioner, for which, C.S.R.No.38 of 2016 has been assigned.

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.28 of 2016, the second 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.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

kj

To

- 1.The Assistant Commissioner of Police  
Ambattur, Chennai.
- 2.The Inspector of Police  
Poonamallee police station  
Chennai-56.
- 3.The Public Prosecutor  
High Court, Chennai.

+1cc to Mr.K.Kalaikovan, Advocate, S.R.No.13000

TEJ(CO)  
CA(07/03/2016)

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