

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.4475 of 2016

A.Bharathi

.. Petitioner

Vs.

State rep. by
The Sub Inspector of Police,
Kitchipalayam Police Station,
Salem District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to register the complaint given by the petitioner on 13.02.2016 and investigate the same as against the said above persons and file the final report as early as possible.

For Petitioner : Mr.D.Rajagopal

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 police to register a case pertaining to the petitioner's complaint dated 13.02.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 13.02.2016, for which, C.S.R.No.23 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 on the basis of the complaint given by the petitioner, C.S.R.No.23 of 2016 has been issued and on the basis of the complaint given by the counter petitioner, C.S.R.No.24 of 2016 has been issued and in both the cases, petition enquiry is pending.

4.Considering the rival submissions made on both sides and on the basis of the complaint made by the petitioner as well as the counter petitioner, as petition enquiry is pending, the respondent is directed to expedite the enquiry in both the cases in C.S.R.Nos.23 of 2016 and 24 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.

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

cse

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Sub Inspector of Police,
Kitchipalayam Police Station,
Salem District.

2.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.D.Rajagopal, Advocate Sr 13093

KR/9/3/16

Crl.O.P.No.4475 of 2016

सत्यमेव जयते

WEB COPY