

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.4839 of 2016

M.Abirami Mohan

.. Petitioner

Vs.

The Sub-Inspector of Police,
S-12 Chitlapakkam Police Station,
Chennai - 600 064.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to register the complaint of the petitioner dated 09.02.2016 and investigate the same in accordance with law to secure the ends of justice.

For Petitioner : Mr.P.Paramasivam

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 09.02.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 09.02.2016 stating that she was assaulted her sister-in-law and her family, she sustained injury and she was admitted in the hospital. But the respondent has not shown any interest to enquire the matter and register a 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 when the petitioner was treated as inpatient for two days, she had stated that she fell down from the bike on 09.02.2016 but when she was admitted in the hospital on 11.02.2016, she turned down and

stated that she was assaulted by her sister-in-law and her family. He further submitted that after receipt of the complaint from the petitioner, enquiry has been conducted and it was closed. He would also submitted that counter petitioner, viz., one Balu, has also given a complaint, which was taken as C.S.R.No.55 of 2016

4.Considering the submissions made on both sides and on perusal of the records, I am of the view that it is a fit case to re-open the case and enquire the matter afresh. Therefore, the respondent is directed to re-open the case and 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.

cse

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Sub-Inspector of Police,
S-12 Chitlapakkam Police Station,
Chennai - 600 064.
 - 2.The Public Prosecutor, High Court, Chennai.
- + 1 cc to Mr.P.Paramasivam, Advocate Sr 14067

KR/11/3/16

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