

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.4849 of 2016

M.Hilda

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
J6 Thiruvanniyur Police Station,
Thiruvanniyur,
Chennai - 600 041.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the Inspector of Police, J6 Thiruvanniyur Police Station under the control of Chennai City Police, to register the complaint dated 05.11.2015 against the accused under Indian Penal Code and take up the same for investigation.

For Petitioner : Mr.R.Hariharamahadevan

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 05.11.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 05.11.2015. He further submitted that on summon, he appeared before the respondent police, but even then they have not properly conducted the enquiry and registered 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 after receipt of the complaint from the petitioner, enquiry has been conducted and the complaint was closed on 03.02.2016.

4.Considering the submissions made on both sides and on perusal of the records, it is seen that prima facie case has been made out. So, 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. The petitioner is also directed to co-operate for enquiry and produce the relevant documents.

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

cse

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Inspector of Police,
J6 Thiruvanniyur Police Station,
Thiruvanniyur,
Chennai - 600 041.

2.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.R.Hariharamahadevan, Advocate Sr 13990

KR/11/3/16

सत्यमेव जयते

Cr1.O.P.No.4849 of 2016

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