

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.5359 of 2016

Karthick

.. Petitioner

Vs.

State rep. by its
The Inspector of Police,
Ambattur Police Station,
Ambattur, Chennai - 53.

.. Respondent

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent herein to register the complaint in CSR.No.849 of 2015 dated 25.11.2015 on the file of the respondent and report before this Court.

For Petitioner : Mr.R.Md.Nasrullah

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

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 25.11.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 25.11.2015, for which, C.S.R.No.849 of 2015 has been given. 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, he was called for enquiry but the petitioner has not appeared and hence, the complaint was closed on 30.11.2015.

4.Considering the rival submissions made on both sides, I am of the view that it is a fit case to re-open 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 appear before the respondent police on 12.04.2016 for enquiry.

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

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

cse

To

1.The Inspector of Police,
Ambattur Police Station,
Ambattur, Chennai - 53.

2.The Public Prosecutor
High Court, Chennai.

1 cc to Mr.R.Md Nasurullah, Advocate, Sr. 21889

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सत्यमेव जयते

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