

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.5452 of 2016

T.K.Elangovan

.. Petitioner

Vs.

1.The Commissioner of Police,
Coimbatore City,
Coimbatore.

2.The Inspector of Police,
Ramanthapuram Police Station,
Coimbatore City.

.. Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent to register the case on the basis of the petitioner's complaint dated 22.02.2016.

For Petitioner : Mr.T.Padmanaban

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

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 22.02.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the second respondent on 22.02.2016. But the second 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 after receipt of the complaint from the petitioner, both the parties were called and enquiry has been conducted in which the counter petitioner has undertook to repay the amount and on that basis, the complaint was closed.

4.Considering the rival submissions made on both sides that on the basis of the complaint made by the petitioner both the parties were called and enquired and the counter petitioner undertook to repay the amount, I am of the view that it is a fit case to re-open the matter and conduct enquiry afresh. Therefore, 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.

cse

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Commissioner of Police,
Coimbatore City, Coimbatore.

2.The Inspector of Police,
Ramanthapuram Police Station,
Coimbatore City.

3.The Public Prosecutor,
High Court, Chennai.

KR/21/3/16

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