

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

CrI.O.P.No.5509 of 2016

R.Seema

.. Petitioner

Vs.

1.The Commissioner of Police,
Vepery, Chennai - 600 007.

2.The Inspector of Police,
P2 Otteri Police Station,
Chennai - 600 012.

.. Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondents police to register the FIR on the basis of the petitioner's complaint dated 01.04.2015 in a time bound manner.

For Petitioner : Mr.S.Sathish Kumar

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction to the respondents to register a case pertaining to the petitioner's complaint dated 01.04.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 01.04.2015. But the respondents have 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.Resisting the same, 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 undertaken to repay the amount and on that basis, the complaint was closed.

4.Considered the rival submissions made on both sides and perused the typed set of papers.

5.On the basis of the complaint made by the petitioner both the parties were called and enquired in which the counter petitioner undertook to repay the amount and hence, the complaint was closed. Since the counter petitioner has not repaid the amount, the petitioner is directed to submit a fresh complaint to the respondents within a period of one week from the date of receipt of a copy of this order. Thereafter, the respondents are 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.

6.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,
Vepery, Chennai - 600 007.

2.The Inspector of Police,
P2 Otteri Police Station,
Chennai - 600 012.

3.The Public Prosecutor, High Court, Chennai.

+ 1 cc to Mr.S.Sathish Kumar, Advocate Sr 15882

KR/21/3/16

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