

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Cr1.O.P.No.5524 of 2016

A.V.Laya

... Petitioner

Vs.

Inspector of Police,
Perur All Women Police Station,
Coimbatore.

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to issue direction to the respondent to register the complaint dated 23.11.2015 and investigate the matter and file the report before this Hon'ble Court within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Ramesh

For Respondents: Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the respondent to register the complaint dated 23.11.2015 and investigate the matter and file the report.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 23.11.2015 and CSR No.531 of 2015 was also assigned, 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 the complaint given by the petitioner was assigned CSR No.531 of 2015 and since the husband of the petitioner is from Chennai and he did not co-operate for the enquiry, the petition was closed.

4.Considering the rival submissions made on both sides, this Court feels that the non co-operation of the counter petitioner/ husband of the petitioner, is not a ground for closure of a complaint. Hence the closure report is re-opened and respondent police 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.With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

1.The Inspector of Police,
Perur All Women Police Station,
Coimbatore.

2.The Public Prosecutor
High Court, Madras.

1 cc to Mr.S. Ramesh, Advocate, Sr. 16075

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PPA (CO)
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सत्यमेव जयते

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