

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.5577 of 2016

K.Mani .. Petitioner
Vs.

State rep. by

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

2.The Inspector of Police
Central Crime Branch
Vepery, Chennai-600 007.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to register a case based on the petitioner's complaint dated 30.09.2015 and investigate the same in accordance with law.

For Petitioner :Mr.S.Suresh
For Respondents :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 second respondent to register a case pertaining to the petitioner's complaint dated 30.09.2015 and investigate the same in accordance with law.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 30.09.2015. 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.At this juncture, the learned Additional Public Prosecutor, on instructions, would submit that after receipt of the petitioner's complaint, C.No.2462 of 2015 has been given and on that basis, enquiry has been conducted. At that time, the petitioner undertook to produce the parent document, but he did not produce the same, hence the said complaint was closed.

4.Considering the rival submissions made on both sides and also considering the facts and circumstances of the case, merely because the petitioner has not furnished the parent document, the complaint should have not been closed. Therefore, the closure report furnished by the respondents is hereby reopened. The petitioner is directed to appear before the second respondent on 29.03.2016 for enquiry with all the relevant documents including parent document. The second respondent police is directed to enquire the matter 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.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Central Crime Branch,
Vepery, Chennai-600 007.

3.The Public Prosecutor,
High Court, Chennai.

+1cc to Mr.S.Suresh, Advocate sr. 16115

Cr1.O.P.No.5577 of 2016

ad(CO)
srg(17/03/2016)