

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Criminal Original Petition No.558 of 2016

R.Prakasam

... Petitioner

Vs.

The State represented by

1.The Superintendent of Police,
Namakkal District,
Namakkal.

2.The Deputy Superintendent of Police,
District Crime Branch,
Namakkal District,
Namakkal.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent police to register a case on the basis of the complaint of the petitioner dated 30.09.2015 by entering an FIR and to expeditiously investigate the same in accordance with law.

For Petitioner : Mr.G.Prabhakaran

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction, directing the 2nd respondent police to register a case on the basis of the complaint dated 30.09.2015 and to investigate the same in accordance with law.

2.The learned counsel appearing for the petitioner would submit that the proposed accused after impersonation forged the document, obtained patta and created a Partition Deed. Even though the complaint has been received by the Deputy Superintendent of Police, District Crime Branch, the 2nd respondent, he has not shown any interest to investigate the matter and to register an FIR. Hence, the petitioner has come up with the present petition for the relief as stated above.

3.At this juncture, the learned Additional Public Prosecutor, on instructions, would submit that based on the complaint given by the petitioner, petition enquiry is going on.

4.Considering the rival submission made on both sides, 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.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mps

To

- 1.The Superintendent of Police,
Namakkal District,
Namakkal.
- 2.The Deputy Superintendent of Police,
District Crime Branch,
Namakkal District,
Namakkal.
- 3.The Public Prosecutor,
Madras High Court,
Madras.

+1cc to Mr.G.Prabhakaran, Advocate, S.R.No.6978

Cr1.O.P.No.558 of 2016

SAI (CO)
CA(10/02/2016)