

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.5639 of 2016

Patlur Primary Agricultural Co-operative
Credit Society (S.608) rep. by its
Secretary C.Saraswathi
P.Goundampalayam post
Tiruchengode Taluk
Namakkal District.

.. Petitioner

Vs.

1.The Superintendent of Police
Namakkal District, Namakkal.

2.The Sub-Inspector of Police
Molasi Police station
Tiruchengode Taluk
Namakkal District.

.. 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 16.03.2015 and to extend police protection to construct the compound wall to the petitioner Co-operative Society building and land situated at P.Goundampalayam village, Tiruchengode Taluk, Namakkal District.

For Petitioner :Mr.Venkataswamy Babu
For Respondent :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 16.03.2015 and to extend police protection to construct the compound wall to the petitioner's society.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 16.03.2015. 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.Heard the learned Additional Public Prosecutor.

4.Considering the rival submissions made on both sides, the petitioner has lodged a complaint before the second respondent on 16.03.2015, for which, C.S.R.No.27 of 2015 has been assigned. Since the counter petitioner viz., Sengottuvel again damaged the fencing put up by the petitioner's society, he lodged the complaint before the respondents on 14.08.2015. He has also produced acknowledgment card to that effect. Therefore, the second respondent is directed to conduct 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.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Superintendent of Police
Namakkal District, Namakkal.

2.The Sub-Inspector of Police
Molasi Police station
Tiruchengode Taluk
Namakkal District.

3.The Public Prosecutor
High Court, Chennai.

+1cc to M/S.Venkataswamy Babu, Advocate sr.16104

CRL.O.P.No.5639 of 2016

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