

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.5887 of 2016

K.Maiyyan

.. Petitioner

Vs.

1. The Deputy Commissioner of Police,
CCB, Madras
 2. The Inspector Station House Officer,
J-5 Police station, Chennai - 90
- ... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents to register FIR based on the petitioner's complaint dated 27.02.2016.

For Petitioner :Mr.V.Shanmugam for
M/s Shanmugha Associates
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 respondents to register a case based on the petitioner's complaint dated 27.02.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 27.02.2016, for which, C.S.R.No.999 of 2016 has been assigned. 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 petitioner's complaint, CSR.No.999 of 2016 has been given and the petitioner is not co-operating for the enquiry, hence the enquiry is pending.

4.Considering the rival submissions made on both sides and also considering the facts and circumstances of the case, the petitioner is directed to co-operate with the enquiry and appear

before the respondent on 30.03.2016 for enquiry. 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.
ssd

s/d-
Assistant Registrar(AS)

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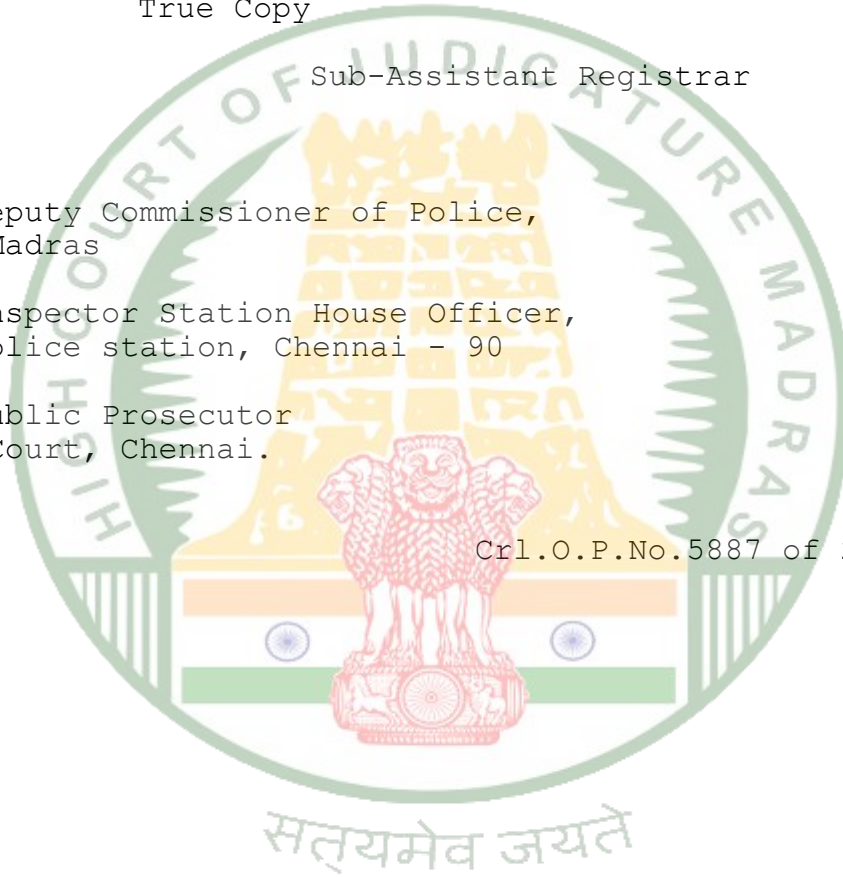
Sub-Assistant Registrar

To

1. The Deputy Commissioner of Police,
CCB, Madras
2. The Inspector Station House Officer,
J-5 Police station, Chennai - 90
3. The Public Prosecutor
High Court, Chennai.

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