

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.6030 of 2016

S.Monisha Margreat

... Petitioner

Vs.

State represented by
The Inspector of Police,
W7, All Woman Police Station
Annanagar, Chennai - 600 040.

... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent police to register the complaint of the petitioner dated 05.03.2013 and to proceed further.

For Petitioner : Mr.R.Rangarajan
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to respondent police to register a case on the basis of the complaint given by her dated 05.03.2013.

2.Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor.

3.The learned counsel appearing for the petitioner would submit that the counter petitioner has married this petitioner without disclosing the earlier marriage and as soon as she came to know about the earlier marriage, she has given the complaint but the respondent police has not registered the case. Hence, the petitioner has come forward with this petition.

4.At this juncture, the learned Additional Public Prosecutor would submit that the complaint has been given by the petitioner but the whereabouts of the counter petitioner has not been known. Hence, it was temporarily closed and he prayed for the dismissal of the petition.

5.Considering the rival submissions and on perusal of the typed set of papers, it is seen that the complaint given by the petitioner was assigned C.S.R.No.50/2016 on 29.02.2016 in which enquiry has been conducted and because on that day, they are unable to trace the counter petitioner, it was temporarily closed. So, the closure report is hereby reopened and this Court directs the respondent to enquire the matter as expeditiously as possible 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 petitioner is directed to co-operate for the enquiry with the respondent police. The petitioner is also directed to furnish the correct address of the counter petitioner to the respondent.

6.With the above direction, this Criminal Original Petition is disposed of.

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s/d-

Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
W7, All Woman Police Station
Annanagar, Chennai - 600 040.

2. The Public Prosecutor
High Court, Madras.

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Cr1.O.P.No.6030 of 2016

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