

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.6051 of 2016

M.S.Ganesan

.. Petitioner

Vs.

1.The City Commissioner of Police
Commissioner Office
Tiruppur.

2.The Inspector of Police
North police station
Tiruppur.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to register the case on the basis of the petitioner's complaint dated 02.11.2015 and investigate the same in accordance with law.

For Petitioner :Ms.Revathi Ramachandran

For Respondents :Mr.C.Emalias
Addl. Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking a direction to the second respondent to register a case pertaining to the petitioner's complaint dated 02.11.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 02.11.2015. 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 on receipt of the petitioner's complaint, C.No.957 of 2015 has been assigned. He would further submit that the petitioner was not examined, but the counter petitioner alone was examined and the complaint was closed on 11.03.2016. However, he prays for dismissal.

4.Considering the rival submissions made on both sides, on receipt of the petitioner's complaint dated 02.11.2015, C.No.957 of 2015 has been assigned. According to the learned Additional Public Prosecutor, the petitioner was not examined and the counter petitioner alone was examined. On that basis, the complaint was closed. Under such circumstances, the closure report furnished by the respondents is hereby set aside. The petitioner is directed to appear before the second respondent for enquiry on 15.04.2016 along with relevant documents. 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

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To

1.The City Commissioner of Police
Commissioner Office
Tiruppur.

2.The Inspector of Police
North police station
Tiruppur.

3.The Public Prosecutor, High Court, Chennai.

+ 1 cc to M/s. Revathi, Advocate SR.22805

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RSK(CO)
Eu 13.4.16