IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.6056 of 2016

P.Azhagu .. Petitioner

Vs.

The State Represented by
The Inspector of Police,
E-5, Foreshore Police Station,
Chennai 600 028. .. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent police to register a First Information Report based on the complaint dated 19.01.2016.

For Petitioner : Mr.C.Arunkumar

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 respondent to register a case pertaining to the petitioner's complaint dated 19.01.2016.

2.The learned counsel for the petitioner submitted that the petitioner has given a complaint before the respondent police on 19.01.2016, for which, C.S.R.No.28 of 2015 has been assigned. 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. Resisting the same, the learned Additional Public Prosecutor, on instructions, would submit that due to dispute between the petitioner and his father, both the parties have engaged different security personnel. So, each one of them has given a complaint against them. He further submit that enquiry has been conducted and closed.

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4. At this juncture, the leaned counsel for the petitioner would submit that the petitioner was not called for any enquiry.

5. In such circumstances, I am of the view that it is a fit case to re-open the closure report and direct the respondent police to enquire the matter afresh. Therefore, the 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 petitioner is also directed to appear before the respondent police on 30.03.2016 for enquiry.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
E-5, Foreshore Police Station,
Chennai 600 028.

2.The Public Prosecutor
High Court, Chennai.

+1cc to M/S.P.N.Vignesh, Advocate Sr.17680

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