

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.6655 of 2016

M.Wasimunnissa

.. Petitioner

Vs.

State rep. by
1.The Inspector of police
S-15 Selaiyur police station
Chennai-600 073.

2.The Commissioner of Police
Greater Chennai
Vepery, Chennai-7.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents to register the case on the basis of the petitioners complaint dated 08.01.2016 and investigate the same in accordance with law.

For Petitioner : Mr.Kumar Talreja

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

सतममेन जयते
O R D E R

The petitioner has come forward with this petition seeking a direction to the respondents to register a case pertaining to the petitioner's complaint dated 08.01.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 08.01.2016, but the respondents have not shown any interest to enquire the matter and register the case. However, the respondents have registered a case on the basis of the complaint lodged by the daughter of the petitioner. 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 the basis of

the complaint given by the petitioner, C.No.214 of 2016 has been given. Since the petitioner did not appear and co-operate for enquiry, the petitioner's complaint was closed.

4.Considering the rival submissions made on both sides, since the petitioner did not appear for enquiry, her complaint was closed. However, as the petitioner is aged about 72 years old, this Court is inclined to reopen the closure report furnished by the respondents. Accordingly, the closure report is hereby reopened and the petitioner is directed to appear before the first respondent police for enquiry on 06.04.2016 along with the relevant documents. The first respondent is directed to conduct 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.

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

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Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Inspector of police,
S-15 Selaiyur police station,
Chennai-600 073.
 - 2.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai-7.
 - 3.The Public Prosecutor, High Court, Chennai.
- + 1 cc to Mr.Kumar Talreja, Advocate Sr 20580

KR/4/4/16

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