

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.6674 of 2016

and

Cr1.M.P.No.3784 of 2016

H.Amala

.. Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai.

2.The State rep. by
The Inspector of Police,
All Women Police Station,
Vadapalani, Chennai.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to register a case based on the petitioner's complaint dated 02.03.2016 against the named persons pending on the file of the respondents in accordance with law.

For Petitioner : Mr.S.Gopi

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

For intervenor : Mr.S.Y.Masood

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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 02.03.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 02.03.2016 and C.S.R.No.53 of 2016 has also 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.Learned Additional Public Prosecutor submits that on the basis of the petitioner's complaint, petition enquiry in C.S.R.No.53 of 2016 has been pending.

4.Considering the rival submissions made on both sides, on the basis of the petitioner's complaint, as petition enquiry in C.S.R.No.53 of 2016 has been pending, the second respondent police 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. As per the Honourable Apex Court, there is no necessity for intervention before the case has been registered. Hence, the petition in CrI.M.P.No.3784 of 2016 stands dismissed.

kj

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai.
 - 2.The Inspector of Police,
All Women Police Station,
Vadapalani, Chennai.
 - 3.The Public Prosecutor, High Court, Chennai.
- + 2 ccs to Mr.S.Gopi, Advocate Sr 20871
+ 2 ccs to Mr.S.Y.Masood, Advocate Sr 21008 (15/4/16)

KR/12/4/16

CrI.O.P.No.6674 of 2016
and
CrI.M.P.No.3784 of 2016