

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.6779 of 2016

P.Sampath

... Petitioner

Vs.

State rep. By
The Inspector of Police (Law & Order),
Periyapet Police Station,
Chennai-600 003.

.... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondent to register a case based on the complaint lodged by the petitioner dated 19.05.2014 before the respondents and to investigate the same in accordance with law.

For Petitioner :Mr.C.V.Kumar

For Respondent :Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction, directing the respondent to register a case based on the complaint lodged by the petitioner dated 19.05.2014 before the respondents and to investigate the same in accordance with law.

2.The learned counsel for the petitioner submitted that even though the complaint dated 19.05.2014 has been received by the respondent, he has not shown any interest to investigate the matter and to register the complaint.

3.At this juncture, the learned Additional Public Prosecutor appearing for the respondent submitted that on the basis of the complaint given by the petitioner, the petition enquiry has already been conducted and it was closed in the year 2014 itself. Hence, he prays for dismissal of this petition.

4.Considering the rival submissions made on both sides, and on perusal of the typed set of papers, the statement of the proposed accused has been recorded and there is no document to show that the petitioner has enquired by the respondent police. Hence, the closure report furnished by the respondent is hereby reopened. The respondent is directed to enquire the matter afresh and follow the dictum laid down in Lathia Kumari vs. Govt. of U.P. and Others (2013 (4) Crime 243 (SC) and register a case, if any cognizable offence is made out.

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

mps

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police (Law and Order)
Periyamet Police Station, Chennai -3.
2. The Public Prosecutor,
Madras High Court,
Madras.

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