

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.6840 of 2016

Tmt.Mala

... Petitioner

Vs.

1.State represented by its
Inspector of Police
M-6 Manali Police Station,
Chennai.

2.The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
Vepery, Chennai.

3.The Director General of Police,
State of Tamil Nadu,
Chennai.

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to issue direction to the first respondent to register the complaint of the petitioner dated 13.02.2016 and conduct the investigation in accordance with law and to file the charge sheet against the wrongdoer.

For Petitioner : Mr.H.Manivannan

For Respondents: Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the first respondent to register the complaint of the petitioner dated 13.02.2016 and to conduct investigation in accordance with law and to file the charge sheet.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent police

on 13.02.2016, 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.At this juncture, the learned Additional Public Prosecutor, on instructions, would submit that the petitioner herein has given a complaint for the alleged occurrence said to have taken place on 06.08.2014, for which a case in Crime No.1331 of 2014 has been registered against the counter petitioner and he was arrested and after due investigation C.C.No.59 of 2015 has been filed before the learned Judicial Magistrate, Thiruvotriyur which is pending.

4.The learned Additional Public Prosecutor further submitted that on the basis of another complaint given on 10.07.2015, a case in Crime No.1021 of 2015 has been registered by the M-2, M.M.Colony Police Station and investigation is going on. Now, the petitioner has given third complaint and it was enquired and closed on 09.03.2016 stating that the complaint itself is false. Hence, he prayed for dismissal of the petition.

5.Considering the rival submissions made on both sides and on perusal of the typed set of papers, it is known that in the complaint itself it was specifically mentioned that on that day, he came and made a criminal intimidation and that has been recorded in C.C.T.V. Camera but that has not been perused by the first respondent and the complaint was closed as false. In such circumstances, the closure report is hereby reopened. The petitioner is directed to appear before the first respondent police along with C.C.T.V.Footage on 06.04.2016 and the first respondent police is directed to consider the same, 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.

6.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police
M-6 Manali Police Station,
Chennai.

2.The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
Vepery, Chennai.

3.The Director General of Police,
State of Tamil Nadu,
Chennai.

4.The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.H.Manivannan, Advocate, S.R.No.19804

Cr1.O.P.No.6840 of 2016

vsn (CO)
srg (07/04/2016)



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