

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2016

CORAM

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.6879 of 2016

K.Selvanayagi

... Petitioner

Vs

1. The Commissioner of Police,
O/o. The Commissioner of Police,
Coimbatore.

2. The Inspector of Police,
Karumathampatty Police Station,
Karumathampatty,
Coimbatore District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.
seeking a direction, to direct the 2nd respondent to register a
FIR on the petitioner's complaint dated 21.05.2015.

For Petitioner : Mr.A.Gokulakrishnan

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 second respondent to register a
case on the basis of the complaint given by the petitioner on
21.05.2015.

2. The learned counsel appearing for the petitioner would
submit that the petitioner has given a complaint to the
respondent as early as on 21.05.2015, but, however, the
respondent police had not taken any steps to register a case and
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, enquiry has been conducted and the complaint has been closed. He further submitted that the statement of the petitioner is not available.

4. Considering the rival submissions made on both sides, I am of the view that even though the complaint has been closed, there is no evidence to show that the petitioner was examined by the respondent police and therefore, it is a fit case to re-open the closure report and enquire the matter afresh. Hence, the second respondent is directed to re-open the case and 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.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vsm

To

1. The Commissioner of Police,
O/o. The Commissioner of Police,
Coimbatore.
2. The Inspector of Police,
Karumathampatty Police Station,
Karumathampatty,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Gokulakrishnan, Advocate, S.R.No.27289

Cr1.O.P.No.6879 of 2016

SV(CO)
CA(17/05/2016)