

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.6972 of 2016

R.Radhakrishnan

.. Petitioner

... Vs ...

1. The Inspector of Police,
(Crime),
P-2 Police Station,
Otteri,
Chennai - 600 012.

2. A.Elumalai

3. S.Alamelu

.. Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the first respondent police to take legal action after registering the case in accordance with law on the basis of the petitioner's complaint dated 15.03.2016 vide C.No.1165/COP/VISITOR/2016, dated 15.03.2016 on the file of the first respondent police.

For Petitioner : Mr.Dalit Tiger C.Ponnusamy

For R-1 : Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction, directing the first respondent police to take legal action after registering the case in accordance with law on the basis of the petitioner's complaint dated 15.03.2016 vide C.No.1165/COP/VISITOR/2016, dated 15.03.2016 on the file of the first respondent police.

2. The learned counsel for the petitioner would submit that the petitioner has given a complaint to the Commissioner of Police, Land Grabbing Cell, Veppery, Chennai, as early as on 15.03.2016, and even though C.No.1165/COP/VISITOR/2016 has been given, the 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 would submit that after conducting proper enquiry, the complaint given by the petitioner has been closed on 30.03.2016 and hence, he prayed for dismissal of the petition.

4. On a perusal of the typed set of papers, it is seen that the petitioner was not examined and his statement has not been recorded and only the counter petitioner's statement alone has been recorded. Hence, the closure report is ordered to be re-opened. The first respondent police is directed to enquire the matter afresh and to 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. The petitioner is directed to produce all the relevant documents during the course of enquiry.

5. With the above directions, this Criminal Original Petition is disposed of.
Jrl

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
(Crime),
P-2 Police Station,
Otteri, Chennai - 600 012.

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.Dalit Tiger C.Ponnusamy, Advocate SR 20232

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prk15/4

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