

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

CrI.O.P.No.7114 of 2016

B.Boobalan

....Petitioner

Vs.

1.The Commissioner of Police,
Greater Chennai City,
Vepery, Chennai 600 007.

3.The Inspector of Police,
F2, Egmore Police Station,
Egmore, Chennai.

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the 1st respondent and through him the 2nd respondent to register a case on the petitioner's complaint dated 21.3.2016 and investigate and submit report fixing a time limit.

For Petitioner : Mr.P.Ayyaswamy

For Respondents: Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction directing the 1st respondent and through him the 2nd respondent to register a case on the petitioner's complaint dated 21.3.2016 and investigate and submit report fixing a time limit.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent police on 21.3.2016, 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.At this juncture, the learned Additional Public Prosecutor, on instructions, would submit that on the basis of

the complaint given by the petitioner, a petition enquiry is pending in C.No.1294 of 2016 . He would further submit that investigation is going on and petitioner is not cooperating for enquiry.

4.Considering the rival submissions made on both sides, on the basis of the complaint given by the petitioner as investigation is going on in C.No.1294 of 2016 and the petitioner is not cooperating for enquiry, the petitioner is directed to appear before the respondent police on 12.4.2016 along with all relevant documents and cooperate for enquiry and the respondent police is directed to enquire into the matter as per 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.With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner of Police,
Greater Chennai City,
Vepery, Chennai 600 007.

2.The Inspector of Police,
F2, Egmore Police Station,
Egmore, Chennai.

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

+2 ccs to Mr.A.Arunkumar, Advocate, S.R.No.21142
+1cc to Mr.P.Ayyaswamy, Advocate, S.R.No.20987

Cr1.O.P.No.7114 of 2016

sai(CO)
srg(15/04/2016)