

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

CRL.O.P.NO.7117 OF 2016

S.Jothi

... Petitioner

Vs.

1. The District Collector,
Chennai District,
Chennai 600 001.
2. The Commissioner of Police,
E.V.K.Sampath Road,
Vepery, Chennai.
3. The Deputy Commissioner of Police,
Ottery, Chennai.
4. The Insepctor of Police,
Kodungaiyur Police Station,
Kodungaiyur ,Chennai.

... Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the 2nd, 3rd and 4th respondent to investigate and register a case based on the Letter No.L.Dis A5/L&O-11/2015, dated 22.11.2015 investigate and file a final report.

For Petitioner : Mr.J.Senthamilarasu

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition under Section 482 of Code of Criminal Procedure, praying to direct the 2nd, 3rd and 4th respondent to investigate and register a case based on the Letter No.L.Dis A5/L&O-11/2015, dated 22.11.2015, investigate and file a final report.

2. Heard the submissions made by the learned counsel appearing on either side.

3. The learned counsel for the petitioner would submit that even though he has given a complaint before the District

Collector on 18.11.2015, the same has been forwarded to Commissioner of Police, and then inturn to the Inspector of Police, Kodungaiyur Police Station, so far no enquiry has been conducted and the case is yet to be registered.

4. At this juncture, the learned Additional Public Prosecutor would submit that the complaint has not yet been received by the 4th respondent and if a fresh complaint is given, necessary action would be taken.

5. Considering the submissions made on both sides the petitioner is directed to give a fresh complaint to the 4th respondent and on receipt of the same, the 4th respondent is directed to conduct enquiry on the complaint of the petitioner following 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

//True Copy//

Sub Assistant Registrar

msr

To

- 1.The District Collector,
Chennai District,
Chennai 600 001.
- 2.The Commissioner of Police,
E.V.K.Sampath Road,
Vepery, Chennai.
- 3.The Deputy Commissioner of Police,
Ottery, Chennai.
- 4.The Insepctor of Police,
Kodungaiyur Police Station,
Kodungaiyur ,Chennai.
- 5.The Additional Public Prosecutor,
High Court, Chennai.

+1cc to Mr.J.Senthamilarasu, Advocate, S.R.No.21133

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CA(20/04/2016)

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