

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:05.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.7204 of 2016

A. Mohammed Aasif

... Petitioner

Vs.

1. The Superintendent of Police,
Salem District.

2. The Inspector of Police,
Kondalampatti,
Salem District.

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to issue a direction directing the 2nd respondent police to register the complaint dated 20.2.2016.

For Petitioner : Mr.Udayan for
M/s.Karan and Uday

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the respondent to issue direction directing the 2nd respondent police to register the complaint dated 20.2.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent police on 20.2.2016, 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.Sr.No.66 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.Sr.No.66 of 2016 and the petitioner is 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.

msr

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The Superintendent of Police, Salem District.
 - 2.The Inspector of Police, Kondalampatti, Salem District.
 - 3.The Public Prosecutor, High Court, Madras.
- + 1 cc to M/s.Karan and Uday, Advocate Sr 21704

KR/12/4/16

Cr1.O.P.No.7204 of 2016

सत्यमेव जयते

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