

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.7386 of 2016

Rajaram Dubey

..Petitioner

Vs.

The Inspector of Police,
T-3, Korattur Police Station,
Chennai.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent police to register a case in connection with the above matter and to investigate the same and register the FIR dated 29.10.2015.

For Petitioner : Mr.A.Laxmi Rajrathinam

For Respondent : Mr.C.Emalias
Addl.Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction to the respondent to register a case pertaining to the petitioner's complaint dated 29.10.2015.

2. The learned counsel for the petitioner submitted that the petitioner has lodged a complaint dated 29.10.2015 before the respondent police stating that one Mr.C.Selva Jayakumar, the counter petitioner had purchased the materials on credit basis from the petitioner and there was a due of Rs.82,802/-. It is further submitted that when the petitioner has demanded the amount, the said Selva Jayakumar has not repaid the amount and he threatened and also abused the petitioner in filthy language. Hence he has given a complaint. But the respondent has not taken any steps to enquire the matter and register the case. Therefore, 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, summons were issued to the counter petitioner and because of non-cooperation of the counter petitioner, the complaint was closed on 20.01.2016.

4. Considering the rival submission made by both sides that because of non-cooperation of the counter petitioner, complaint was closed, I am of the view that it is a fit case to re-open the closure report and direct the respondent police to enquire the matter afresh. Therefore, the respondent is directed 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.

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

kkd

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Inspector of Police,
T-3, Korattur Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to Mr.A.Laxmi Rajrathinam, Advocate Sr 21466

KR/20/4/16

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