

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.7705 of 2016

G.Salammal

.. Petitioner

Vs.

1.The Assistant Commissioner of Police  
Anna nagar circle.

2.The Inspector of Police (L&O)  
V4 Rajamangalam police station  
Chennai-99. .. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents to register the case on the basis of the petitioner's complaint dated 19.03.2016 in C.S.R.No.52 of 2016 and proceed in accordance with law.

For Petitioner :Mr.S.Guru Moorthy

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

O R D E R

The petitioner has come forward with this petition seeking a direction to the respondents to register a case pertaining to the petitioner's complaint dated 19.03.2016 in C.S.R.No.52 of 2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 19.03.2016 and C.S.R.No.52 of 2016 has also been assigned. 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 the petitioner has appeared before the respondents and submitted that she would work out her remedy before the civil forum and hence, recording her statement, they closed the complaint.

4. Heard both sides.

5. In the complaint, it was specifically mentioned that the petitioner was assaulted by the counter petitioner and immediately she was admitted in the Stanley Hospital, Chennai. Further it was mentioned that the police came there and recorded her statement, but no case has been registered. In such circumstances, I am of the view that it is a fit case for reopen the closure report. Accordingly, the closure report is hereby reopened and the second respondent is directed to conduct the enquiry afresh 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.

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

Sd/-  
Assistant Registrar (CS VII)

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Sub Assistant Registrar

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To

1. The Assistant Commissioner of Police  
Anna nagar circle.

2. The Inspector of Police (L&O)  
V4 Rajamangalam police station  
Chennai-99.

3. The Public Prosecutor, High Court, Chennai.

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AD(CO)  
EU 10.05.16

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