

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

CrI.O.P.No.7765 of 2016

Gowthami

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
V-6 Kolathur Police Station,
Kolathur,
Chennai - 600 099.

.. Respondent

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent to register First Information Report based on the complaint dated 24.04.2015.

For Petitioner : Mr.J.Janarthanan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction to the respondent police to register a case pertaining to the petitioner's complaint dated 24.04.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 24.04.2015, for which, C.S.R.No.81 of 2015 has been given. But the respondent has 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 receipt of the complaint from the petitioner, C.S.R.No.81 of 2015 has been assigned. He would also submit that since the petitioner has not co-operated for enquiry, the complaint was closed.

4.Considered the rival submissions made on both sides and perused the typed set of papers.

5.The petitioner has given a complaint on 24.04.2015, for which, C.S.R.No.81 of 2015 has been assigned. According to the learned Additional Public Prosecutor, because of the non-cooperation of the petitioner, the complaint was closed. Hence, I am of the view that it is a fit case to re-open the closure report and enquire the matter afresh. Therefore, the respondent is directed to re-open the case and 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. The petitioner is also directed to appear before the respondent police on 30.04.2016 with all the relevant documents.

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

cse

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Inspector of Police,
V-6 Kolathur Police Station,
Kolathur,
Chennai - 600 099.

2.The Public Prosecutor
High Court, Chennai.

+ 1 cc to Mr.J.Janarthanan, Advocate Sr 26273

KR/28/4/16

WEB COPY

Cr1.O.P.No.7765 of 2016