

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.7866 of 2016

Sh.Vazhavan Karthikeyan

.. Petitioner

Vs.

1.The Additional Commissioner of Police,
Central Crime Branch,
Chennai Police,
Vepery, Chennai.

2.The Joint Commissioner of Police,
East Zone, Chennai Police,
Chennai.

3.The State Rep. by
The Inspector of Police,
Crime Branch, K-6 Police Station,
D.P.Chatram, Chennai.

.. Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the third respondent to register the petitioner's complaint dated 26.11.2015 made to respondent immediately and to investigate the same in accordance with law..

For Petitioner : Mr.K.Sudhakar

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

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ORDER

The petitioner has come forward with this petition seeking for a direction to the third respondent to register a case pertaining to the petitioner's complaint dated 26.11.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 26.11.2015, for which, C.No.2400/DC CCB-I/PE/2015 has been

given. 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 receipt of the complaint from the petitioner, C.No.2400/DC CCB-I/PE/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 26.11.2015, for which, C.No.2400/DC CCB-I/PE/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 third 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 05.05.2016 with all the relevant documents.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Additional Commissioner of Police,
Central Crime Branch,
Chennai Police, Vepery, Chennai.

2.The Joint Commissioner of Police,
East Zone, Chennai Police, Chennai.

3.The Inspector of Police,
Crime Branch, K-6 Police Station,
D.P.Chatram, Chennai.

4.The Public Prosecutor
High Court, Chennai.

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