

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.8200 of 2016

Mrs.P.R.Raajeswari

... Petitioner

Vs.

1. State by: The Commissioner of Police,
Vepery,
Chennai District.

2. State by: Inspector of Police
K-4, Anna Nagar Police Station,
Anna Nagar, Chennai District.

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to issue direction to the second respondent to register a case based on the complaint dated 27.02.2016 against the above said persons.

For Petitioner : Mr.A.P.Sathyamurthy

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the second respondent to register a case based on the complaint dated 27.02.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent police on 27.02.2016 and though it has been assigned C.S.R.No.112 of 2016, 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 both parties were called for enquiry and at that time, the counter petitioner submitted that she filed a suit and sorted out her remedy. On that basis, it was closed and prayed for the dismissal of the petition.

4.Considering the rival submissions made on both sides and on perusal of the file produced by the learned Additional Public Prosecutor, it is known that when the petitioner was examined before the respondent police, she has stated that she wants action against the counter petitioner but without considering the same, the complaint has been closed. Hence, the closure report is hereby reopened. The petitioner is directed to appear before the second respondent on 27.04.2016 along with all the relevant documents. The second respondent police 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.With the above direction, this Criminal Original Petition is disposed of.

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s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1.The Commissioner of Police,
Vepery,
Chennai District.

2.The Inspector of Police
K-4, Anna Nagar Police Station,
Anna Nagar,
Chennai District.

3.The Public Prosecutor
High Court, Madras.

+ 1 cc to Mr.A.P.Sathyamurthi, Advocate SR 24655

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