

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.8402 of 2016

Sunil Arya

... Petitioner

Vs.

The Inspector of Police,
P-6, Kodungaiyur Police Station,
Kodungaiyur,
Chennai - 600 118.

.... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the respondent police herein i.e., the Inspector of Police, P-6, Kodungaiyur Police Station, Chennai - 600 118, to register the case pertaining to the petitioner's complaint dated 07.02.2015, which was assigned in CSR.No.126 of 2015 in pursuance of the order passed by this Hon'ble High Court in Crl.O.P.No.7097 of 2015, dated 23.03.2015.

For Petitioner : Mr.B.Ganesha Moorthy

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondent police to register a case based on the petitioner's complaint dated 07.02.2015, in CSR.No.126 of 2015, in pursuant to the order dated 23.03.2015, passed by this Court in Crl.OP.No.7097 of 2015.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. It is seen that this petitioner has lodged a complaint dated 07.02.2015, before the respondent Police, alleging that he has been illegally evicted by the opposite party. Since, the police did not take action, this petitioner filed Crl.OP.No.7097 of 2015, in which, this Court has passed the following order on 23.03.2015:

"4. Considering the nature of allegations made in the complaint of the petitioner, this Court directs respondent-Police to register a case on the complaint of the petitioner and proceed further in accordance with law by following the principles laid down by the Hon'ble Apex Court in Lalita Kumari vs. Govt. of U.P. & others, reported in [2013 (4) Crimes 243 (SC)]

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

4. It is the grievance of the petitioner that despite the order dated 23.03.2015, the respondent-Police have not taken any action.

5. The learned Additional Public Prosecutor submitted that petition enquiry is pending in CSR.No.126 of 2015, and that the petitioner is not co-operating with the enquiry.

6. The petitioner is directed to appear in person before the respondent-Police and the respondent-Police is directed to take action in accordance with law, following the decision laid down by the Hon'ble Supreme Court in Lalita Kumari v. Government of Uttarpradesh and Others reported in (2014) 2 SCC 1, otherwise the petition may be closed under intimation to the petitioner.

With the above direction, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ds

To:

1.The Inspector of Police,
P-6, Kodungaiyur Police Station,
Kodungaiyur,
Chennai - 600 118.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B. Ganesha Moorthy, Advocate, S.R.No.34164

GJII(CO)
EU(11/07/2016)

Cr1.O.P.No.8402 of 2016



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