

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.8600 of 2016

Sharmila

.. Petitioner

Vs.

The Inspector of Police
All Women police station
Mamallapuram
Kancheepuram District.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to register a case based on the petitioner's complaint dated 27.03.2016 and investigate the same in accordance with law.

For Petitioner :Mr.K.S.Kaviarasu
For Respondent :Mr.C.Emalias
Addl. Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking a direction to the respondent to register a case pertaining to the petitioner's complaint dated 27.03.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 27.03.2016. 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 the basis of the complaint given by the petitioner/wife against her husband on 27.03.2016, C.S.R.No.48 of 2016 has been assigned and the same was forwarded to the Social Welfare Department for enquiry. He would further submit that after receipt of the report from the Social Welfare Department, Kancheepuram, the respondent will register the case in accordance with the report.

4.Considering the rival submissions made on both sides, on the basis of the complaint made by the petitioner, as petition enquiry is pending before the Social Welfare Department, Kancheepuram, the respondent is directed to conduct the enquiry and follow the dictum laid down in Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC) after receipt of the report from the Social Welfare Department and register a case, if any cognizable offence is made out.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police
All Women police station
Mamallapuram
Kancheepuram District.

2.The Public Prosecutor
High Court, Chennai.

+ 1 cc to Mr.K.S. Kaviarasu, Advocate Sr.26931

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RSY(CO)
EU 18.5.16

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