

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.8726 of 2016

A.Ansari

.. Petitioner

Vs.

State rep. by
Inspector of Police
H5 police station
New Washermanpet
Chennai.

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to register the case on the basis of the petitioners complaint dated 28.03.2016 in C.S.R.No.134/2016 and investigate the same in accordance with law.

For Petitioner :Mr.J.Karthikeyan

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 28.03.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 28.03.2016 and C.S.R.No.134 of 2016 has also been assigned. 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, enquiry has been conducted in C.S.R.No.134 of 2016 and the same was closed on 03.04.2016.

4. Considering the rival submissions made on both sides

and perusing the typed set of papers, I am of the view that it is a fit case to reopen the closure report. Accordingly, the closure report is hereby reopened and the petitioner is directed to appear before the respondent police for enquiry on 05.05.2016 along with the relevant documents. The respondent is directed to conduct the enquiry afresh 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. The Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police
H5 police station
New Washermanpet
Chennai.

2.The Public Prosecutor, High Court, Chennai.

+1 cc to Mr.J.Karthikeyan, Advocate, sr.26503

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ksj co
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