

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.8840 of 2016

S.Panneerselvam

.. Petitioner

Vs.

1.State rep. by

The Commissioner of Police,
Line Medu, Annathanapatti,
Salem City, Salem.

2.The Inspector of Police,
Pallappatty Police Station,
Salem City,
Salem - 636 009.

.. Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent to register the case based on the petitioner's complaint dated 18.03.2016 against the accused persons.

For Petitioner : Mr.C.Samivel

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction to the second respondent to register a case pertaining to the petitioner's complaint dated 18.03.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 18.03.2016. 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 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 before the respondents on 18.03.2016. 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 second 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 (CS-VI)

//True Copy//

Sub Assistant Registrar

cse

To

- 1.The Commissioner of Police,
Line Medu, Annathanapatti,
Salem City, Salem.
- 2.The Inspector of Police,
Pallappatty Police Station,
Salem City, Salem - 636 009.
- 3.The Public Prosecutor
High Court, Chennai.

Copy to:

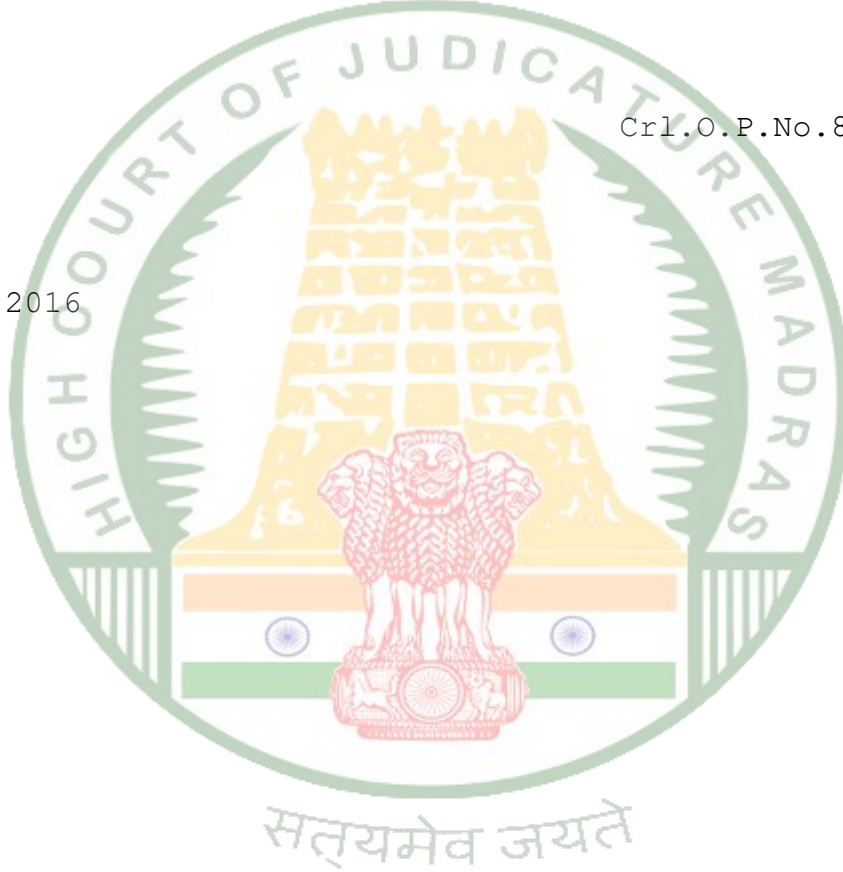
S.Panneerselvam
S/o. R.Sengottuvelu,
No.63, Chinnerivayalkadu
Pallappatty Road,
Salem 636 004.

(to appear before the Respondent Police
on 05.05.2016 with all the relevant
documents)

+1 cc to Mr.C.Samivel, Advocate, sr.26491

Crl.O.P.No.8840 of 2016

ca co
kra 03.05.2016



WEB COPY