

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.8874 of 2016

M.Yasotha

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
W-13, All Women Police Station,
Washermenpet,
Chennai - 600 021.

.. Respondent

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent police directing them to register an FIR on the basis of the petitioner's complaint dated 29.07.2015, investigate the matter and file a final report within a stipulated period of time.

For Petitioner : Mr.JB.Solomon Peter Kamaldoss

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking for a direction to the respondent police to register a case pertaining to the petitioner's complaint dated 29.07.2015.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 29.07.2015, for which, C.S.R.No.460 of 2015 has been given. 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 receipt of the complaint from the petitioner, C.S.R.No.460 of 2015 has been assigned. He would also 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 on 29.07.2015, for which, C.S.R.No.460 of 2015 has been assigned. 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 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 06.05.2016 with all the relevant documents.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

cse

To

1.The Inspector of Police,
W-13, All Women Police Station,
Washermenpet,
Chennai - 600 021.

2.The Public Prosecutor
High Court, Chennai.

+ 1 cc to Mr.J.B. Soloman, Advocate Sr.26870

Cr1.O.P.No.8874 of 2016

KS(CO)
Eu 03.05.16

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