

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.8900 of 2016

M.Velu

.. Petitioner

Vs.

1.State rep. By
The Inspector of Police,
D-3 Ice House Police Station,
Royapettah, Chennai - 600 014.
(C.S.R.No.222/2016)

2.Sampath

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to register a case as against the second respondent and his younger brother based on the petitioner's complaint in C.S.R.No.222 of 2016 dated 02.04.2016 and investigate the same and to file a final report within the stipulated time as fixed by this Court.

For Petitioner : Mr.A.Prakash

For Respondents : Mr.C.Emalias
Addl.Public Prosecutor(For R1)

ORDER

The petitioner has come forward with this petition seeking for a direction to the first respondent to register a case pertaining to the petitioner's complaint dated 02.04.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the first respondent on 02.04.2016, for which, C.S.R.No.222 of 2016 has been given. But the first 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 petitioners, petition enquiry in C.S.R.No.222 of 2016 is pending.

4. Considering the rival submissions made on both sides, on the basis of the complaint made by the petitioner, as enquiry in C.S.R.No.222 of 2016 is pending, the first respondent is directed to 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.

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

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
D-3 Ice House Police Station,
Royapettah,
Chennai - 600 014.

2. The Public Prosecutor
High Court, Chennai.

+ 2 cc to Mr.A.Prakash, Advocate SR 27089

ks(co)
prk31/5

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