

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.9060 of 2016

S.Isha

... Petitioner/Defacto
Complainant

Vs.

The State rep. by
The Inspector of Police,
T-13 Kundrathur Police Station,
Chennai - 600 062.

... Respondent/Complainant

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the respondent to register the complaint in C.S.R.No.110 of 2016 dated 18.02.2016 on the file of the Inspector of Police, T-13 Kundrathur Police Station, Chennai.

For Petitioner : Mr.G.Saravanakumar

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 18.02.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondent on 18.02.2016, for which, C.S.R.No.110 of 2016 has 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 receipt of the complaint from the petitioner, petition enquiry in C.S.R.No.110

of 2016 has been conducted and closed. But, he has fairly conceded that the statement of the petitioner does not find place in the file.

4.Considered the rival submissions made on both sides and perused the typed set of papers.

5.The petitioner has given a complaint on 18.02.2016, for which, C.S.R.No.110 of 2016. According to the learned Additional Public Prosecutor, on the basis of the complaint given by the petitioner, enquiry has been conducted and closed and he has fairly conceded that the statement of the petitioner does not find place in the file. 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.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

cse

To

1. The Inspector of Police,
T-13 Kundrathur Police Station,
Chennai - 600 062.

2. The Public Prosecutor
High Court, Chennai.

+1cc to Mr.G.Saravanakumar, Advocate, S.R.No.26775

Cr1.O.P.No.9060 of 2016

AD(CO)
CA(04/05/2016)