

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.9063 of 2016

1.B.Guhan

2.G.Mahalakshmi

.. Petitioners

Vs.

State represented by

Inspector of Police

E1 Mylapore police station

Chennai-4.

.. Respondent

C.S.R.No.459/2016, dated 14.4.2016

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to register a case on the basis of the petitioner's complaint dated 14.04.2016 in C.S.R.No.459 of 2016 and investigate the same in accordance with law.

For Petitioners :Mr.Mohamed Aasif

For Respondent :Mr.C.Emalias

Addl. Public Prosecutor

O R D E R

The petitioners have come forward with this petition seeking a direction to the respondent to register a case pertaining to the petitioners' complaint dated 14.04.2016 in C.S.R.No.459 of 2016.

2.The learned counsel for the petitioners submitted that the petitioners have lodged a complaint before the respondent on 14.04.2016 and C.S.R.No.459 of 2016 has also been assigned. But the respondent has not shown any interest to enquire the matter and register the case. Hence, the petitioners have 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 lodged by the petitioners, enquiry is pending in C.S.R.No.459 of 2016.

4.Considering the rival submissions made on both sides, on the basis of the complaint lodged by the petitioners, as enquiry is pending in C.S.R.No.459 of 2016, the 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.

-s/d-
Vacation officer/Assistant Registrar

True Copy

Sub-Assistant Registrar

To
1.Inspector of Police
E1 Mylapore police station
Chennai-4.

2.The Public Prosecutor
High Court, Chennai.

+6 cc to Mr.Mohamed Aasif Advocate sr.26734

सत्यमेव जयते

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