

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

CrI.O.P.No.9154 of 2016

M.Loganathan

.. Petitioner/ Complainant

Vs.

1.The Superintendent of Police
Kanchipuram
Kanchipuram District.

2.The Inspector of Police
E-8 Kelambakkam police station
Kanchipuram District. .. Respondents/ Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents to register the case on the basis of the petitioner's complaint dated 07.04.2016 and investigate the same in accordance with law and file a final report within a stipulated period of time.

For Petitioner :Mr.R.Sasikumar

For Respondents :Mr.C.Emalias
Addl. Public Prosecutor

सत्यमेव जयते
O R D E R

The petitioner has come forward with this petition seeking a direction to the respondents to register a case pertaining to the petitioner's complaint dated 07.04.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 07.04.2016. 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 on the basis of the complaint given by the petitioner, enquiry has been conducted

and the same was closed on 24.04.2016. But he fairly conceded that petitioner's statement has not been recorded.

4. Considering the rival submissions made on both sides and perusing the typed set of papers, since the petitioner's statement has not been recorded, I am of the view that it is a fit case for reopen the closure report. Accordingly, the closure report is hereby reopened and the second respondent is directed to conduct the enquiry afresh 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 directed to appear before the second respondent police for enquiry on 06.05.2016 along with the relevant documents.

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

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

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To

1.The Superintendent of Police
Kanchipuram
Kanchipuram District.

2.The Inspector of Police
E-8 Kelambakkam police station
Kanchipuram District.

3.The Inspector of Police
Ambattur police station
Ambattur, Chennai.

1 cc to Mr.J.B. Solomon peter Kamal Dass, Advocate, Sr. 26868

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UG (CO)
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