

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.9226 of 2016

R.Shanthi

... Petitioner

Vs.

1.The Commissioner of Police
No.132, E.V.K.Sampath salai
Vepery, Chennai-600 007.

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

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to register the case on the basis of the petitioner's complaint dated 25.03.2016 and proceed in accordance with law.

For Petitioner : M/S.Thenmozhi Shiva Perumal

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition seeking a direction to the second respondent to register a case pertaining to the petitioner's complaint dated 25.03.2016.

2.The learned counsel for the petitioner submitted that the petitioner has lodged a complaint before the respondents on 25.03.2016. 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 by the All Women Police Station, Ambattur. Even though the petitioner has received summons, she did not appear for enquiry and hence, the same was closed on 13.04.2016.

4.Considering the rival submissions made on both sides and perusing the typed set of papers, since the petitioner did not appear for enquiry, the complaint was closed. Hence, 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/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police
No.132, E.V.K.Sampath salai
Vepery, Chennai-600 007.

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

3.The Public Prosecutor,
High Court, Chennai.

+1cc to M/S.Thenmozhi Shiva Perumal, Advocate, S.R.No.27461

Cr1.O.P.No.9226 of 2016

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