



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.O.P. (MD) No.19821 of 2015

Anitha Kumari

: Petitioner

-Vs-

1.The Superintendent of Police,
Kanyakumari District at
Nagercoil.

2.The Sub Inspector of Police,
Palukal Police Station,
Palukal, Kanyakumari District.

: Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure, to issue a suitable direction, directing the 2nd respondent police to register a case on the basis of the petitioner's complaint, dated 10.08.2015 and to take appropriate action against the accused persons within the time stipulated by this court.

For Petitioner

: Mr.M.R.Sreenivasan

For Respondents

: Mr.P.Kannithevan

Govt. Advocate (Cr1.Side)

O R D E R

This petition is filed to direct the 2nd respondent to register the case on the basis of the petitioner's complaint, dated 10.08.2015 and to take appropriate action against the accused persons within the time frame.

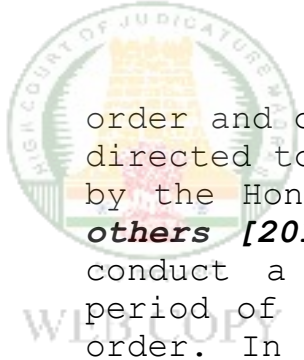
2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondents.

3.The learned Government Advocate (Criminal side), on instructions, would submit that the 2nd respondent has not received any complaint from the petitioner.

4.The learned counsel appearing for the petitioner would submit that the petitioner is ready to give a fresh complaint to the 2nd respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

5.In any event, the petitioner is directed to appear before the 2nd respondent police and to give a fresh complaint along with this



order and on receipt of such complaint, the 2nd respondent police is directed to register the complaint by following the dictum laid down by the Hon'ble Supreme Court in **Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)]** and the 2nd respondent police may conduct a preliminary enquiry, which shall not extend beyond a period of fifteen days from the date of receipt of a copy of this order. In conducting the preliminary enquiry, they shall put the concerned parties upon notice. At the end thereof, if any cognizable offence is made out, they shall duly register a case. In the event of effecting closure of the case upon conducting a petition enquiry, a copy of the closure report shall be forwarded to the complainant.

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

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To,

- 1.The Superintendent of Police,
Kanyakumari District at
Nagercoil.
 - 2.The Sub Inspector of Police,
Palukal Police Station,
Palukal, Kanyakumari District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 cc to Mr.M.R.SREENIVASAN, Advocate, SR.67384

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