



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2016

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

Crl.O.P. (MD) .No.11953 of 2016

B.Ayyasamy

... Petitioner

-Vs-

1. The Superintendent of Police,
Virudhunagar District, Virudhunagar.

2. The Inspector of Police,
Malli Police Station, Malli
Srivilliputhur Taluk
Virudhunagar District

... Respondents

Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd respondent to register FIR on the basis of the petitioner's complaint dated 02.07.2016.

For Petitioner : Mr.B.Ayyasamy
Petitioner-in-person

For Respondents : Mr.A.P.Balasubramani
Government Advocate (Crl.Side)

ORDER

This petition has been filed for a direction to the 2nd respondent to register FIR on the basis of the petitioner's complaint dated 02.07.2016.

2. Heard the petitioner, who appeared in person and the learned Government Advocate (Crl. Side) for the respondents.

3. The petitioner, who is an Advocate, appeared in person and submitted that even though the complaint has been preferred on 02.07.2016, no enquiry has been conducted so far and he has not been called for enquiry. He has also prayed that the Deputy Superintendent of Police may be directed to conduct the enquiry.

4. The learned Government Advocate would submit that there is no problem for the Deputy Superintendent of Police to conduct the enquiry.



5. The petitioner has made a request that enquiry may be expeditiously conducted, as the Mandalabhishekam is scheduled to be held on 27.07.2016, during which, there should not be any law and order problem on account of the pending dispute.

6. In view of the above submission, the Deputy Superintendent of Police, Rajapalayam Sub Division is directed to expedite the enquiry and complete the same on or before 27.07.2016. During the course of enquiry, if any cognizable offence is made out, the Deputy Superintendent of police shall take action in accordance with the law laid down by the Hon'ble Apex Court in Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC)]. In case of closure of the complaint, a copy of the closure report be furnished to the petitioner within a week of such closure. On receipt of the same, it is open to the petitioner to work out his remedy in the manner known to law.

With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS)

To

1. The Deputy Superintendent of Police,
Rajapalayam Sub Division, Rajapalayam,
Virudhunagar District
2. The Superintendent of Police,
Virudhunagar District, Virudhunagar.
3. The Inspector of Police,
Malli Police Station, Malli
Srivilliputhur Taluk, Virudhunagar District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.A.Balaji, Advocate, Sr.No.37649

RR

JM/SK-SKN/SAR-II/25.07.2016/2P-6C