



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2016

CORAM:

THE HONOURABLE DR. JUSTICE S.VIMALA

Crl.O.P. (MD) .No.12836 of 2016

G.Joseph Jeyaseelan

.. Petitioner

Vs.

1.The Inspector of Police,
B4 Keeraithurai (Crime) Police Station,
Madurai City, Madurai.

2.The Inspector of Police,
B4 Keeraithurai (L and O) Police Station,
Madurai City, Madurai.

3.The Commissioner of Police,
Madurai City, Madurai.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondents 1 and 2 to register the First Information Report on the basis of the complaint preferred by the petitioner on 12.07.2016.

For Petitioner

: Mr.C.Godwin

For respondents

: Mr.P.Kandasamy,
Government Advocate
(Criminal side)

ORDER

It is an application seeking a direction to the respondents 1 and 2 to register a case based on the complaint of the petitioner dated 12.07.2016.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

3.The learned counsel for the petitioner would submit that the petitioner is the Headmaster of an aided school, wherein one Mrs. Jaya was employed as Noon-meal Organizer and one Mrs.Mariselvi was employed as Helper; since Mrs.Jaya committed misappropriation of Government fund, the petitioner has lodged a complaint on 03.06.2016 before the first respondent; as there was no response from the first respondent, the petitioner has approached this Court in Crl.O.P. (MD).No.9432 of 2016; this Court, vide order dated 20.06.2016,



directed the first respondent herein to consider the same and to take action in accordance with law; as the petitioner later came to know that Mrs.Mariselvi had also misappropriated, colluding with Mrs.Jaya, he has lodged a complaint on 12.07.2016 before the respondents; and as there was no response to the same, he has come up with this petition.

4.According to the learned Government Advocate (Crl. Side), petition enquiry is pending before the first respondent.

5.In view of the above submission, the first respondent is directed to expedite the enquiry and complete the same within a period of two weeks from the date of receipt of a copy of this order. During the course of enquiry, if any cognizable offence is made out, the first respondent 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.

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

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Inspector of Police,
B4 Keeraithurai (Crime) Police Station,
Madurai City, Madurai.
- 2.The Inspector of Police,
B4 Keeraithurai (L and O) Police Station,
Madurai City, Madurai.
- 3.The Commissioner of Police,
Madurai City, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.C.Godwin , Advocate, SR.No.39441
RL/6C/2P/SKS/RR/4/8/2016

Crl.O.P (MD) No.12836 of 2016