

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40105 OF 2016

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of 5th respondent in not registering any crime against the culprits basing on the complaint of the petitioner, dated 13.11.2016, as arbitrary and illegal and consequently, to direct the respondents to register a crime and investigate the same.

2. Heard and perused the material available on record.
3. The main grievance of the petitioner is that respondent No.5 is not registering a case against the culprits basing on the complaint lodged by him on 13.11.2016.
4. Considering all the facts and circumstances of the case, this Court is of the view that it is needless to say that if a complaint filed by an aggrieved person discloses an offence, which is cognizable in nature, necessarily, the Station House Officer concerned has to register a case and investigate into the same. Hence, respondent No.5 herein is directed to register a case against culprits basing on the complaint, dated 13.11.2016, of the petitioner, if the complaint discloses a cognizable offence. If the petitioner is aggrieved by the action of respondent No.5, he is at liberty to approach the superior officer of respondent No.5 and also to approach the concerned Court by invoking the provision under Section 200 Cr.P.C.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

20.12.2016
YVL



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