



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on: 08.08.2017

Pronounced on: 27.06.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.5057 of 2017

H.T.Sathiadhas

... Petitioner

vs.

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

2.The Inspector of Police,
Nesamony Nagar Police Station,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Criminal Original Petition filed under Article 144 of Constitution of India r/w. Section 482 of Criminal Procedure Code, praying to direct the second respondent to register a case on the petitioner's complaint dated 25.07.2016, in a time bound manner as fixed by this Hon'ble Court.

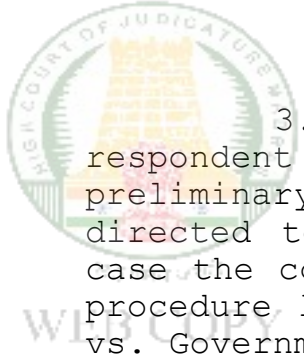
For Petitioner : Mr.C.Kishore

For Respondents : Mr.K.Anbarasan
Government Advocate (Crl. side)

ORDER

This Criminal Original Petition is to direct the second respondent / Inspector of Police, Nesamony Nagar Police Station, Nagercoil, Kanyakumari District, to register a complaint on the petitioner's complaint dated 25.07.2016 in a time bound manner.

2.This is a case where the petitioner has approached the Judicial Magistrate No.II, Nagercoil, who passed an order in Crl.M.P.No.409 of 2017 on 22.02.2017 directing the second respondent to look into the matter as per the procedure laid down by the Hon'ble Supreme Court in the case of Lalitha Kumari vs. Government of U.P. reported in (2014) 2 SCC 1 and file a report in accordance with law. The learned Judicial Magistrate No.II, Nagercoil, has further directed the second respondent to file a report in accordance with law.



3.The grievance of the petitioner is that the second respondent has neither registered a complaint nor conducted any preliminary enquiry. In view of the same, the second respondent is directed to conduct a preliminary enquiry and register a case in case the complaint makes out cognizable offence after following the procedure laid down by the Hon'ble Supreme Court in Lalitha Kumari vs. Government of U.P. reported in (2014) 2 SCC 1 and to comply with the direction of the learned Judicial Magistrate No.II, Nagercoil, by order dated 22.02.2017.

4.This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar(cs-I)

(*)Corrected Copy is Issued

To

- 1.The Superintendent of Police,
Nagercoil,
Kanyakumari District.
- 2.The Inspector of Police,
Nesamony Nagar Police Station,
Nagercoil,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

(*)+1CC TO MR.C.KISHORE ADVOCATE IN SR.No.70203.

SRM

DS/SKN-RSK/SAR-1 :18.07.2018: 2P/4C

DS/ SKN - RSK/SAR-1 :25.09.2018: 2P/1C

Order made in
CRL.O.P.(MD)No.5057 of 2017
27.06.2018