

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.26614 of 2015

A.Priscilla

... Petitioner

Vs

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

2.The Inspector of Police,
All Women Police Station,
Sethiyathoppu,
Cuddalore District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the 2nd respondent police to register the complaint given by the petitioner on 12.09.2015 and investigate the matter.

For Petitioner : M/s.Law Square
For Respondents : Mr.C.Emalias,
Additional Public Prosecutor.

O R D E R

The present criminal original petition has been filed seeking a direction to the 2nd respondent Police to register a case on the basis of the complaint given by the petitioner dated 12.09.2015 and investigate the same in accordance with law.

2. The petitioner has given a complaint as against her husband on the allegation that he married another women, when the marriage between the petitioner and her husband is in existence. Hence, the petitioner lodged a complaint on 12.09.2015 under Sections 494 and 420 IPC. But, till date no action was taken. Hence, the petitioner has filed the present criminal original petition.

3. Today, when the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that 494 IPC is a non cognizable offence and thus he opposed to give a direction to the respondent police to register a case.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

5. Since the offence under Section 494 IPC is a non cognizable offence, I am of the opinion that there is no need to give any direction to the respondent police to register a case and therefore, this petition is liable to be dismissed.

Accordingly, this petition is dismissed. However, the petitioner is at liberty to workout her remedy under Section 156 (3) Cr.P.C., if she so desires.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vsm

To

- 1.The Superintendent of Police,
Cuddalore, Cuddalore District.
- 2.The Inspector of Police,
All Women Police Station,
Sethiyathoppu, Cuddalore District.
- 3.The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

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RSI (CO)
EU 14.12.15

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