

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.30482 of 2015

Karthikeyani

... Petitioner

Vs.

1.State rep. By

Superintendent of Police,
Tiruppur District,
Tiruppur.

2. Inspector of Police,

All Women Police Station,
Palladam.

...Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the Respondents to register the petitioner's complaint dated 28.08.2015.

For Petitioner : Mr.N.Ponraj

For respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking a direction directing the Respondents to register the petitioner's complaint dated 28.08.2015.

2. The petitioner herein has lodged a complaint against her husband and in-laws alleging dowry demand and harassment and the same was registered in Crime No.17 of 2013 before the 2nd respondent and subsequently charge sheet was filed in C.C.No.99 of 2014. It is the case of the petitioner that on 27.8.2015, when she was in her mother's house, her sister in law and brother in law came in a car and threatened her stating that unless she withdraw the criminal cases filed against them, the petitioner has to face serious consequences. At that time, the brother in law of her husband took a wooden log and hurled at her. However, she managed to escape. On seeing the above incident, one Govindasamy and Mohanraj came at her rescue and saved her. Hence, she lodged a complaint before the 1st respondent police on 28.8.2015, but till date, no action was taken by the respondent police.

3. Learned counsel for petitioner submitted that though the complaint was lodged on 28.8.2015, till date, the respondent police has not registered any case on his complaint. Hence, the present criminal original petition has been filed.

4. Learned Additional Public Prosecutor submitted that the allegations made in the complaint lodged by the petitioner do not constitute any cognizable offence and thus opposed for granting direction.

5. Learned counsel for petitioner denies the same and submitted that an allegation of being threatened was made as against the counter petitioners. Thus he sought for a direction.

6. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

7. However, irrespective of the submissions made on either side, this Court is of the opinion that it is appropriate to direct the petitioner to give a fresh complaint along with a copy of this order within a period of one week from the date of receipt of a copy of this order and on such complaint, the respondent is directed to conduct an enquiry on the said complaint and upon enquiry, if materials are gathered indicating any cognizable offence, the respondent is directed to proceed further in accordance with law as early as possible. If no prima facie case is made out for investigation, the respondent is directed to pass appropriate order on the complaint.

8. This criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1The Superintendent of Police,
Tiruppur District,
Tiruppur.

2. Inspector of Police,
All Women Police Station,
Palladam.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Ponraj, Advocate, S.R.No.69436

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pa (CO)
srg (20/01/2016)



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