



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.07.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.No.14248 of 2015

Ms.M.Pandi Duraichi

... Petitioner

Vs

State through,

1.The Superintendent of Police,
Office of the Superintendent of Police,
Palayamkottai,
Tirunelveli District.

2.The Inspector of Police, Thimmarajapuram,
Tirunelveli Taluk Police Station,
Tirunelveli District

... Respondents

PRAYER:

Petition is filed under Section 482 of the Code of Criminal Procedure praying to direct the second respondent to register a case on the complaint of the petitioner, dated 13.07.2015 consequently directing the second respondent to investigate and file a final report within a stipulated time as fixed by this Court.

For Petitioner : Mr.B.Char Murugan

For Respondents : Mrs.S.Prabha

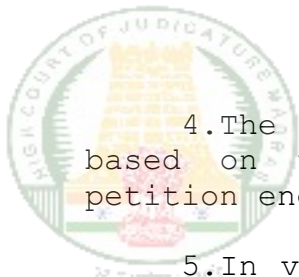
Government Advocate(Crl. Side)

ORDER

This petition has been filed under section 482 Cr.P.C, praying to direct the second respondent to register a case on the complaint of the petitioner, dated 13.07.2015 and investigate the same and file a final report within a stipulated time.

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

3.The learned counsel for the petitioner submitted that one Esakki got a two wheeler and a 10 gram gold ring from the grandfather of the petitioner during his life time, promising to return the same after attending a marriage function. But, after his death, the said Esakki did not return the same. On 13.07.2015, when the petitioner asked the said Esakki to return the valuables, he abused her and attempted to attack her. Therefore, the petitioner gave a complaint to the second respondent to register a case. Since no action has been taken, the petitioner has come forward with this petition.



4.The learned Government Advocate(Crl. Side) has submitted that based on the complaint given by the petitioner, dated 13.07.2015, petition enquiry is pending before the second respondent police.

5.In view of the above, the second respondent police is directed to conduct a preliminary enquiry, which shall not extend beyond a period of seven days from the date of receipt of a copy of this order, by following the judgement of the Hon'ble Supreme Court in *Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)]*. In conducting the preliminary enquiry, they shall put the concerned parties upon notice. At the end thereof, if any cognizable offence is made out, they shall duly register a case. In the event of effecting closure of the case upon conducting a petition enquiry, a copy of the closure report shall be forwarded to the complainant.

6.The Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(Crl.Side)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Palayamkottai,
Tirunelveli District.

2.The Inspector of Police,
Tirunelveli Taluk Police Station,Thimmarajapuram,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC TO MR.B.CHARMURUGAN, ADVOCATE, SR NO:42053

pm
JAM/10.8.2015/2P-5C

Crl.O.P(MD).No.14248 of 2015
27.07.2015