

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1055 of 2016

R.Malathy

... Petitioner

Vs

1.State rep by
The Commissioner of Police,
Greater Chennai Police, Chennai.

2.The Assistant Commissioner of Police,
Mylapore Range, Chennai.

3.The Inspector of Police,
E-1, Mylapore Police Station,
Chennai - 600 073.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the 3rd respondent police to register the FIR based on the complaint dated 22.11.2015 pending before the 3rd respondent within the time frame fixed by this Court.

For Petitioner : Mr.J.T.Rajasuriya
For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the 3rd respondent to register the petitioner's complaint dated 22.11.2015 and investigate the same in accordance with law.

2. In the petition, it has been stated that the petitioner is residing at No.14/2, Saradhapuram 2nd Street, Mylapore, Chennai. On 07.07.2015, the relatives of the petitioner's husband viz., Dhanapal, Vijayakumar, Vinoth, Latha, Geethalakshmi and Shalini trespassed into his house and broke open the door lock. Hence, the petitioner has given a complaint and a FIR was registered in Crime No.3412 of 2015. While so, on 07.10.2015, the above accused once again trespassed, damaged several valuable items and broke open the tenant's door. Hence, the tenant has given a complaint on 07.10.2015 and a FIR was registered in Crime No.26 of 2016. On 22.11.2015, at about 1.00

p.m., again Vijayakumar, Dhanapal, Vinoth, Latha and Geethalakshmi along with their men were trying to trespass into the petitioner's house in order to take forceful possession of some portion of the property. The petitioner tried to stop them but was subjected to immense harassment, torture and assault. The petitioner's husband was beaten and kicked by the assailants. At that time, the petitioner's elder son Rohit was returning from his tuition and he was also attacked by the assailants with an iron rod and due to which, the petitioner's son got injured. The petitioner and her husband immediately took their son Rohit to Government Royapettah Hospital for treatment. Thereafter, he was admitted in Rajiv Gandhi Government General Hospital for further diagnosis and treatment. He was discharged on the same day. Hence, the petitioner lodged a complaint on 22.11.2015. But, till date no action was taken on the said complaint. Hence, the petitioner has come forward with the present criminal original petition.

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

4. The learned Additional Public Prosecutor submitted that already two FIR have been registered. Again and again the petitioner is lodging the same complaint. However, on receipt of the complaint of the petitioner dated 22.11.2015, current paper No.155 of 2015 has been assigned.

5. In view of the submissions made on either side, this Court directs the 3rd respondent to conduct enquiry on the complaint given by the petitioner dated 22.11.2015 and dispose the current paper No.155 of 2015 in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vsm

To

1.The Commissioner of Police,
Greater Chennai Police, Chennai.

2.The Assistant Commissioner of Police,
Mylapore Range, Chennai.

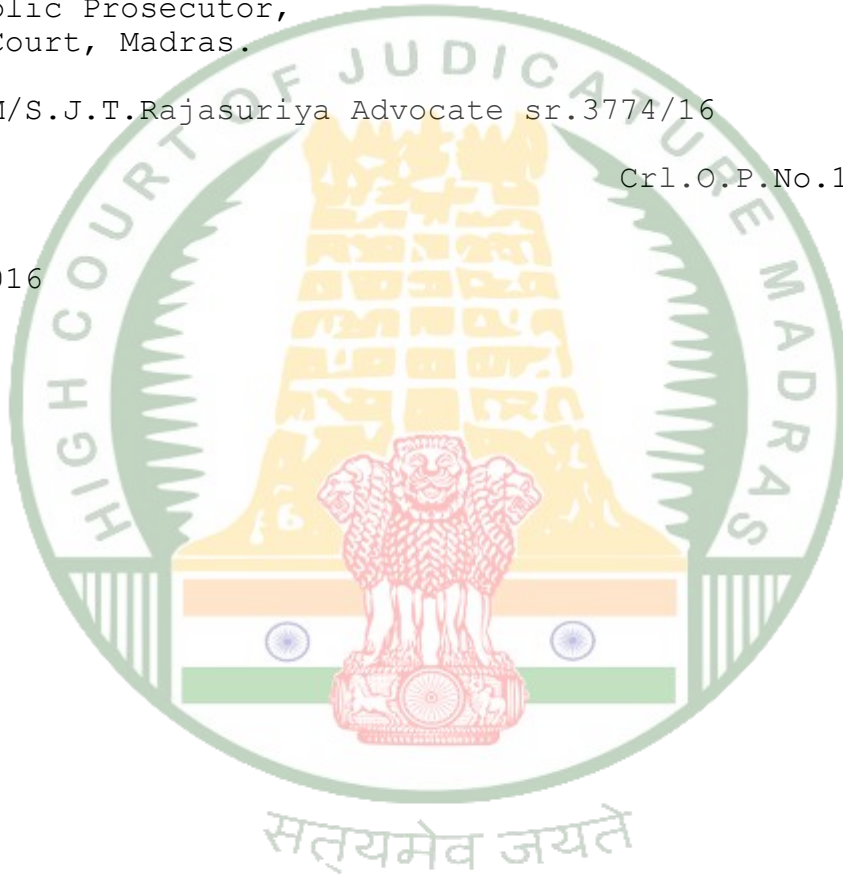
3.The Inspector of Police,
E-1, Mylapore Police Station,
Chennai - 600 073.

4. The Public Prosecutor,
High Court, Madras.

+1 cc to M/S.J.T.Rajasuriya Advocate sr.3774/16

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