

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.Nos.19677 and 19678 of 2016

Dr.R.Vijayanirmala

... Petitioner in both Crl.OPs

Vs

1.The Superintendent of Police,
Jawaharlal Nehru Street,
Puducherry.

2.The Inspector of Police,
Orleanpet Police Station,
Puducherry

... Respondents in both Crl.OPs

Prayer in Crl.OP.No.19677/16: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent to register a case on the complaint dated 07.08.2016 on the file of the respondent and investigate into the matter.

Prayer in Crl.OP.No.19678/16: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent police not to harass the petitioner and to take action against the responsible persons.

For Petitioners : Mr.R.John Sathyan
in both Crl.OPs.

For Respondents : Mr.M.R.Thangavel,
in both Crl.OPs. Additional Public Prosecutor
[Pondy]

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C O M M O N O R D E R

Crl.OP.No.19677 of 2016 has been filed to direct the 2nd respondent to register a case on the complaint dated 07.08.2016 on the file of the respondent and investigate into the matter. Crl.OP.No.19678 of 2016 has been filed to direct the respondent police not to harass the petitioner and to take action against the responsible persons.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor [Pondy] appearing for the respondents and perused the materials placed on record.

3. When these matters were taken up for hearing, learned Additional Public Prosecutor [Pondy] submitted that on the complaint lodged by a child that she was sexually abused by Dr.P.Rajendran, the husband of this petitioner, the 2nd respondent Police have registered a case in Crime No.172 of 2016 under Section 9[e] and 10 of POCSO Act against Rajendran, who is said to be absconding, in respect of an incident that is said to have taken place on 09.07.2016, in the Hospital that is run by the petitioner and her husband. While so, the petitioner has sent a complaint dated 07.08.2016 alleging that the child's relatives had ransacked the Hospital and damaged some equipments.

4. Learned Additional Public Prosecutor [Pondy] submitted that pursuant to the FIR registered against the petitioner's husband on the complaint given by the child-victim, the present complaint dated 07.08.2016 has been given by the petitioner as a counter blast. He further submitted that the anticipatory bail application filed by Rajendran has also been dismissed and he is on the run.

5. Per contra, Mr.John Sathyan, learned counsel appearing for the petitioner submitted that even if Rajendran is an accused in Crime No.172 of 2016, the opposite parties cannot take law into their hands and cause destruction to the properties in the Hospital run by the petitioner.

6. Be that as it may, the 2nd respondent Police is directed to conduct an enquiry on the complaint dated 07.08.2016. As regards the prayer in Crl.OP.No.19678 of 2016, since the petitioner's husband is in run, the respondent Police have to necessarily visit the Hospital of the petitioner in order to find out his whereabouts. The petitioner is directed to cooperate in the enquiry with the Police and during enquiry, the petitioner shall not be harassed.

With the above direction, these petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Jawaharlal Nehru Street,
Puducherry.

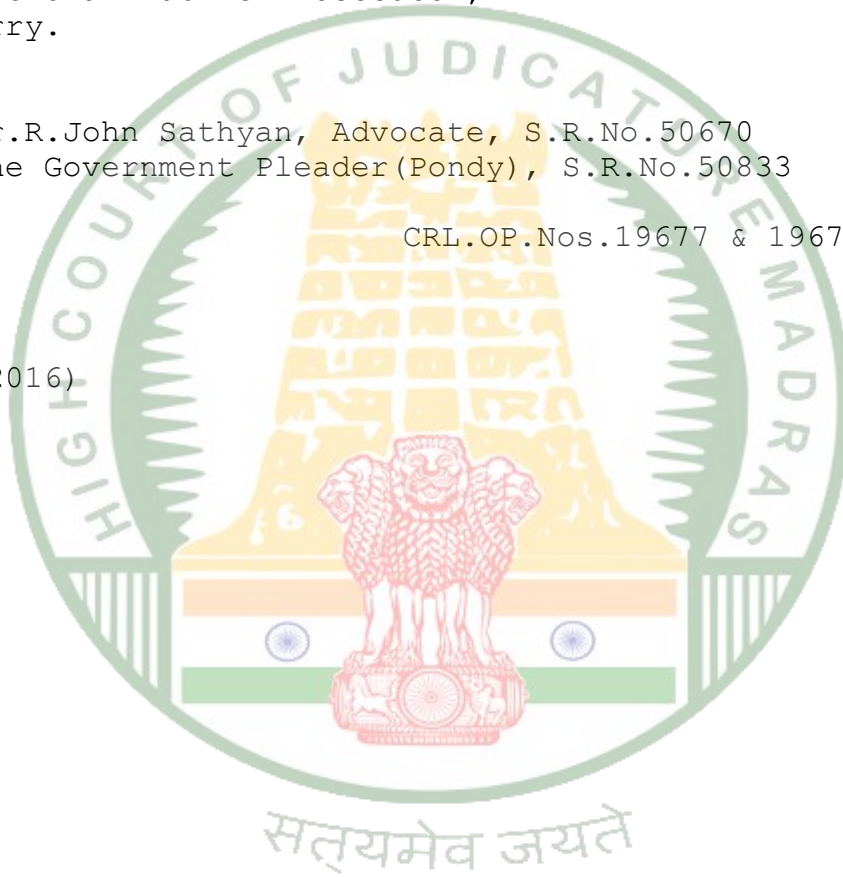
2.The Inspector of Police,
Orleanpet Police Station,
Puducherry

3.The Additional Public Prosecutor,
Puducherry.

+1cc to Mr.R.John Sathyan, Advocate, S.R.No.50670
+1cc to the Government Pleader(Pondy), S.R.No.50833

CRL.OP.Nos.19677 & 19678 of 2016

KGK(CO)
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