



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2016

CORAM:

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

WEB COPY

**Crl.O.P.(MD) Nos.1178, 1181, 1196, 1198
1202 and 1204 of 2016**

T.VILLAVAN KOTHAI ... PETITIONER in CRL OP (MD) No.1178 of 2016
NARAYANAN ... PETITIONER in CRL OP (MD) No.1181 of 2016
P.MUTHUPANDIAN ... PETITIONER in CRL OP (MD) No.1196 of 2016
VELAMMAL ... PETITIONER in CRL OP (MD) No.1198 of 2016
S.SUBASH ARUL DURAI ... PETITIONER in CRL OP (MD) No.1202 of 2016
R. PERIYASAMY ... PETITIONER in CRL OP (MD) No.1204 of 2016

-VS-

THE INSPECTOR OF POLICE
OOMATCHIKULAM POLICE STATION MADURAI DIST.
... RESPONDENT in CRL OP (MD) No.1178 of 2016

1 THE SUPERINTENDENT OF POLICE
TIRUNELVELI TIRUNELVELI DISTRICT.
2 THE SUB INSPECTOR OF POLICE
SIVAGIRI POLICE STATION SIVAGIRI TALUK
TIRUNELVELI DISTRICT.
... RESPONDENTS in CRL OP (MD) No.1181 of 2016

1 THE SUPERINTENDENT OF POLICE
TIRUNELVELI DISTRICT TIRUNELVELI
2 THE INSPECTOR OF POLICE
COURTALLAM POLICE STATION
TIRUNELVELI DISTRICT
... RESPONDENTS in CRL OP (MD) No.1196 of 2016

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION TENKASI
TIRUNELVELI DISTRICT
... RESPONDENT in CRL OP (MD) No.1198 of 2016



1 THE SUPERINTENDENT OF POLICE
THOOTHUKUDI DISTRICT THOOTHUKUDI

2 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH THOOTHUKUDI
THOOTHUKUDI DISTRICT

... RESPONDENTS in CRL OP(MD) No.1202 of 2016

1 THE COMMISSIONER OF POLICE
MADURAI (L& O) MADURAI DISTRICT.

2 THE INSPECTOR OF POLICE
E1 PUDUR POLICE STATION (L&O) K. PUDUR
MADURAI-7.

... RESPONDENTS in CRL OP(MD) No.1204 of 2016

Prayer in CRL OP(MD) No.1178 of 2016:

Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction, directing the respondent to register the criminal case based on the petitioner's complaint dated 12.07.2015 against the proposed 3rd accused.

Prayer in CRL OP(MD) No.1181 of 2016:

Criminal Original Petition is filed under Section 482 of Cr.P.C. to issue a direction to the 2nd respondent, to register a case against the accused persons, on the basis of the petitioner's complaint dated 12.12.2015

Prayer in CRL OP(MD) No.1196 of 2016:

Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the 2nd respondent to register a case as against the proposed Accused persons on the basis of the petitioner's complaint dated 11.01.2016.

Prayer in CRL OP(MD) No.1198 of 2016:

Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the respondent to register FIR on the basis of the complaint dated 13.12.2015 in Receipt No.617/2015 and take action as per law.

Prayer in CRL OP(MD) No.1202 of 2016:

Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the 2nd respondent to register an FIR on the basis of the complaint dated 15.12.2015 lodged by post.

<https://hcc.judiciary.gov.in/CRService/> Prayer in CRL OP(MD) No.1204 of 2016:

Criminal Original Petition is filed under Section 482 of Cr.P.C. to pass an order directing the respondents particularly



the 2nd Respondent to register the complaint of the Petitioner dated 04.01.2016 and investigate the same in accordance with law and also file the final report.

For Petitioners:

- : M/S P.THOTHAI MUNIYASAMY in CRL OP(MD) No.1178 of 2016
- : M/S C.KISHORE in CRL OP(MD) No.1181 of 2016
- : M/S M.SATHIAMOORTHY in CRL OP(MD) No.1196 of 2016
- : M/S D.VENKATESH in CRL OP(MD) No.1198 of 2016
- : M/S A.THIRUVADI KUMAR in CRL OP(MD) No.1202 of 2016
- : M/S P.KRISHNAVENI in CRL OP(MD) No.1204 of 2016

For Respondents:

- : MR.A.P.BALASUBRAMANI Government Advocate(Crl.Side)
in all Crl.OPs

COMMON ORDER

These petitions have been filed under Section 482 Cr.P.C., directing the respective respondent Police to register the complaints of the respective petitioners against the proposed accused.

2.TheGovernment Advocate (Crl.side) appearing for the respondent Police, on instructions, would submit that the complaints have been received by the respondent Police and the same will be enquired into and if *any prima facie case* is made out, the said complaints would be registered and the investigation would be completed.

3.Considering the submissions made on either side, this Court is inclined to direct the respective Police to enquire into the veracity of the complaints in adherence to the principles and directions laid down by the Honourable Apex Court in the case of ***Lalita Kumari -Vs-Government of U.P and others*** reported in **2013(4) Crimes 243 (SC)** and complete the same within a period of one month from the date of receipt of a copy of this order. In the event of the respondent Police finding any *prima facie case* in the complaints of the petitioners, they shall register a case within a period of one week thereafter.



4. In case of closure of complaints, the respective respondent Police are directed to send a copy of the closure report to the petitioners within a period of one week from the date of closure. On receipt of the same, it is open to the petitioners either to make a private complaint or recourse to any other provisions of law.

5. The Criminal Original petitions are disposed of accordingly.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

- 1 THE INSPECTOR OF POLICE
OOMATCHIKULAM POLICE STATION MADURAI DIST.
- 2 THE SUPERINTENDENT OF POLICE
TIRUNELVELI TIRUNELVELI DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE
SIVAGIRI POLICE STATION SIVAGIRI TALUK
TIRUNELVELI DISTRICT.
- 4 THE INSPECTOR OF POLICE
COURTALLAM POLICE STATION
TIRUNELVELI DISTRICT
- 5 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION TENKASI
TIRUNELVELI DISTRICT
- 6 THE SUPERINTENDENT OF POLICE
THOOTHUKUDI DISTRICT THOOTHUKUDI
- 7 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH THOOTHUKUDI
THOOTHUKUDI DISTRICT
- 8 THE COMMISSIONER OF POLICE
MADURAI (L& O) MADURAI DISTRICT.
- 9 THE INSPECTOR OF POLICE
E1 PUDUR POLICE STATION (L&O), K. PUDUR
MADURAI-7.



10 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to Mr.Thoothai Muniyasamy, Advocate Sr.No.3944

+1cc to Mr.C.Kishore, Advocate Sr.No.4054

+1cc to Mr.M.Sathiamoorthy, Advocate Sr.No.4449

+1cc to Mr.D.Venkatesh, Advocate Sr.No.4330

+1cc to Mr.A.Thiruvadikumar, Advocate Sr.No.3918

+1cc to Mr.P.Krishnaveni, Advocate Sr.No.4205

mpk

AA/AAL-MPA/10.02.2016/5p-16c

**Cr1.O.P. (MD) Nos.1178, 1181, 1196, 1198
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22.01.2016