



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2016

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

Crl.O.P.(MD)Nos.1547, 1549, 1551, 1552
1558 and 1562 of 2016

S. JOSEPHRAJ SUNDARAM @ MURUGAN ... PETITIONER in CRL OP(MD) No.1547/2016
S.SIVAKUMAR ... PETITIONER in CRL OP(MD) No.1549/2016
SUBHALATHA ... PETITIONER in CRL OP(MD) No.1551/2016
RAJAMANI ... PETITIONER in CRL OP(MD) No.1552/2016
NAGESWARI ... PETITIONER in CRL OP(MD) No.1558/2016

S.P.BALASUBRAMANIAN
B.VIJAYARANI ... PETITIONERS in CRL OP(MD) No.1562/2016

-VS-

1 THE SUPERINTENDENT OF POLICE,
OFFICE OF THE DISTRICT SUPERINTENDENT OF POLICE,
TIRUNELVELI DISTRICT.

2 THE INSPECTOR OF POLICE,
UVARI POLICE STATION, UVARI,
TIRUNELVELI DISTRICT.

... RESPONDENTS in CRL OP(MD) No.1547/2016

1 THE CITY COMMISSIONER OF POLICE,
TRICHY DISTRICT, TRICHY.

2 THE INSPECTOR OF POLICE,
YEADAMALAIPATTI PUDHUR POLICE STATION,
YEADAMALAIPATTI PUDHUR, TRICHY,
TRICHY DISTRICT.

... RESPONDENTS in CRL OP(MD) No.1549/2016

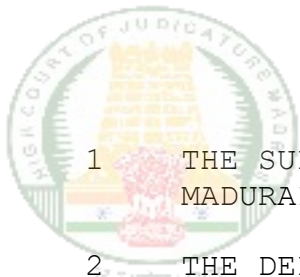
1 THE SUPERINTENDENT OF POLICE,
TIRUNELVELI.

2 THE INSPECTOR OF POLICE,
CHERANMAHADEVI POLICE STATION, TIRUNELVELI.

... RESPONDENTS in CRL OP(MD) No.1551/2016

THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
SIVAGANGAI DISTRICT, SIVAGANGAI.

... RESPONDENT in CRL OP(MD) No.1552/2016



- 1 THE SUPERINTENDENT OF POLICE,
MADURAI DISTRICT.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
MELUR MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
MELUR POLICE STATION, MELUR,
MADURAI DISTRICT.
- 4 THE SUB INSPECTOR OF POLICE,
MELAVALAVU POLICE STATION,
MELUR, MADURAI DISTRICT.

... RESPONDENTS in CRL OP(MD) No.1558/2016

- 1 THE DEPUTY SUPERINTENDENT OF POLICE,
O/O. DEPUTY SUPERINTENDENT, PALANI,
- 2 THE SUB INSPECTOR OF POLICE,
PALANI TOWN POLICE STATION, PALANI.

... RESPONDENTS in CRL OP(MD) No.1562/2016

Prayer in CRL OP(MD) No.1547 of 2016:

Criminal Original Petition filed under section 482 of Cr.P.C., seeking for a direction, directing the 2nd respondent police to register the complaint on the basis of the petitioner's complaint dated 22.10.2015

Prayer in CRL OP(MD) No.1549 of 2016:

Criminal Original Petition filed under section 482 of Cr.P.C., seeking for a direction, the 2nd Respondent to register the case on the basis of the complaint given by the Petitioner dated 1.11.2015 and consequently direct the 1st Respondent to supervise the investigation submits

Prayer in CRL OP(MD) No.1551 of 2016:

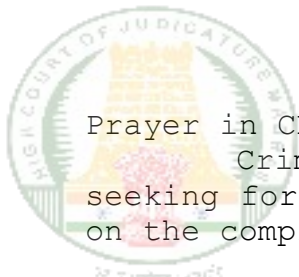
Criminal Original Petition filed under section 482 of Cr.P.C., seeking for a direction, the Respondents to register the petitioner's complaint dated 2.1.2016 as an FIR and further direct him to investigate into the matter and to file the final report within the stipulated period as prescribed by this Honble Court

Prayer in CRL OP(MD) No.1552 of 2016:

Criminal Original Petition filed under section 482 of Cr.P.C., seeking for a direction, the Respondent to register the complaint dated 20.07.2015 of the Petitioner.

Prayer in CRL OP(MD) No.1558 of 2016:

Criminal Original Petition filed under section 482 of Cr.P.C., seeking for a direction, the 1st Respondent to direct the 4th respondent to register the case against the accused and investigate the same in accordance with law on the basis of the petitioners complaint dated 08.01.2016



Prayer in CRL OP(MD) No.1562 of 2016:

Criminal Original Petition filed under section 482 of Cr.P.C., seeking for a direction, direct the respondents to register a case based on the complaint made by the petitioner dated 28.09.2015

FOR PETITIONER:-

M/S G.THAVEETHU, ADVOCATE IN CRL OP(MD) No.1547 of 2016
M/S S.VENKATESAN, ADVOCATE IN CRL OP(MD) No.1549 of 2016
M/S P.SAMUEL GUNASINGH, ADVOCATE IN CRL OP(MD) No.1551 of 2016
M/S C.GANESH KUMAR, ADVOCATE IN CRL OP(MD) No.1552 of 2016
M/S A.PRASANNA RAJADURAI, ADVOCATE IN CRL OP(MD) No.1558 of 2016
M/S R.SARAVANAN, ADVOCATE IN CRL OP(MD) No.1562 of 2016

FOR RESPONDENTS:-

MRS.S.PRABHA, 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.The Government 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 (AE)



To

1. The Superintendent of Police,
Office of the District Superintendent of Police,
Tirunelveli District.
2. The Inspector of Police,
Uvari Police Station,
Uvari, Tirunelveli District.
3. The City Commissioner of Police,
Trichy District, Trichy.
4. The Inspector of Police,
Yeadmalaipatti Pudhur Police Station,
Yeadmalaipatti Pudhur, Trichy, Trichy District.
5. The Superintendent of Police,
Tirunelveli.
6. The Inspector of Police,
Cheranmahadevi Police Station, Tirunelveli.
7. The Inspector of Police,
District Crime Branch,
Sivagangai District, Sivagangai.
8. The Superintendent of Police,
Madurai District.
9. The Deputy Superintendent of Police,
Melur, Madurai District.
10. The Inspector of Police,
Melur Police Station,
Melur, Madurai District.
11. The Sub Inspector of Police,
Melavalavu Police Station,
Melur, Madurai District.
12. The Deputy Superintendent of Police,
O/o. Deputy Superintendent , Palani.
13. The Sub Inspector of Police,
Palani Town Police Station, Palani.
14. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO MR.S.VENKATESAN, ADVOCATE IN SR NO. 5361/16
+ 1 CC TO MR.G.THAVEETHU, ADVOCATE IN SR NO. 5970/16
+ 1 CC TO MR.C.GANESH KUMAR, ADVOCATE IN SR NO. 5431/16
+ 1 CC TO MR.A.PRASANNA RAJADURAI, ADVOCATE IN SR NO.5545/16
+ 1 CC TO MR.R.SARAVANAN, ADVOCATE IN SR NO.5366/16

MPK

TE/GSV-AN/ : 11/02/2016 : 4P/20C

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