

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 08.06.2016**

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CORAM:**THE HONOURABLE Dr. JUSTICE S.VIMALA****Cr1.O.P. (MD) .No.7657 of 2016**

G.Arulmathi Esuvadiyal

.. Petitioner

Vs.

1.The Superintendent of Police,
Tuticorin District,
Tuticorin.

2.The Inspector of Police,
Murappanadu Police Station,
Tuticorin District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the second respondent herein to register the FIR based on the petitioner's complaint dated 23.04.2016 within a stipulated time.

For Petitioner

: Mr.S.R.Durai Raj

For respondents

: Mr.A.P.Balasubramani,
Government Advocate
(Criminal side)

For intervener

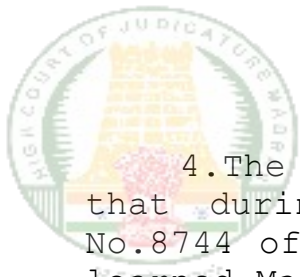
: Mr.A.Thiruvadi Kumar

ORDER

It is an application seeking a direction to the second respondent to register a case based on the complaint of the petitioner dated 23.04.2016.

2.Heard the learned counsel for the petitioner, the learned Government Advocate (Cr1. Side) for the respondents and also the learned counsel for the intervener/accused.

3.The learned Government Advocate (Cr1. Side) would submit that a case has already been registered in Crime No.123 of 2016 under Sections 147, 294(b), 465, 468, 471, 420 and 506(ii) IPC, based on the direction issued by the learned Magistrate under Section 156(3) Cr.P.C.



4.The learned counsel for the intervener/accused would submit that during the pendency of the application in CrI.O.P.(MD). No.8744 of 2016 which has been filed challenging the order of the learned Magistrate, the case has been registered.

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5.Once the case is registered based upon the order passed by the learned Magistrate, it is upto the intervener/accused to initiate further proceedings, if so advised. Under such circumstances, the objection is not sustainable.

6.Recording the submission of the learned Government Advocate, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Tuticorin District,
Tuticorin.

2.The Inspector of Police,
Murappanadu Police Station,
Tuticorin District.

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

+1cc to Mr.S.R.Durairaj, Advocate SR.28834
gcg

JA-SKS-RR/17.6.2016/2P-5C

CrI.O.P(MD)No.7657 of 2016
08.06.2016