



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2016

WEB COPY

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Cr1.O.P. (MD) No.8748 of 2016

Nirmala Devi

.. Petitioner

Vs.

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

2.The Sub Inspector of Police,
Gujiliyamparai Police Station,
Dindigul District,
Dindigul.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the 1st respondent to instruct the 2nd respondent to register the case based on complaint given by the complainant on 21.03.2016.

For Petitioner : Mr.B.Vinoth Balan

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

ORDER

It is an application seeking a direction to the first respondent to instruct the second respondent to register the case based on complaint given by the complainant on 21.03.2016.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) for the respondents.

3.The sum and substance of the complaint of the petitioner is that the proposed accused and petitioner are husband and wife and there is a matrimonial dispute between them. On 10.03.2016, the proposed accused has forcibly taken the baby from the petitioner and assaulted her with deadly weapon. As there was no case registered, the petitioner has come up with this petition.



4. According to the learned Government Advocate (Crl. Side), petition enquiry is pending before the second respondent.

5. In view of the above submission, the second respondent is directed to expedite the enquiry and complete the same within a period of one month from the date of receipt of a copy of this order. During the course of enquiry, if any cognizable offence is made out, the second respondent police shall take action in accordance with the law laid down by the Hon'ble Apex Court in **Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC)]**. In case of closure of the complaint, a copy of the closure report be furnished to the petitioner within a week of such closure. On receipt of the same, it is open to the petitioner to work out his remedy in the manner known to law.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

To

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

2. The Sub Inspector of Police,
Gujiliyamparai Police Station,
Dindigul District, Dindigul.

3. The Government Advocate (Crl. Side),
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.B.Vinoth Balan, Advocate SR.No.30338

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Crl.O.P(MD)No.8748 of 2016
14.06.2016