



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

Cr1.O.P. (MD) .No.8892 of 2016

G.Priya

.. Petitioner

Vs.

1. The District Collector,
Trichy District, Trichy.
2. The Superintendent of Police,
Trichy District, Trichy.
3. The Inspector of Police,
All Women Police Station,
Kottai Police Station,
Trichy.
4. The Social Welfare Officer,
Trichy District, Trichy.
5. The Social Welfare Officer,
Thanjavur District,
Thanjavur

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the 3rd respondent to take necessary steps to enquire about the averments of demand of dowry and harassment in FIR No.14/2015 dated 11.06.2015 by some other agency and to file proper final report considering the petitioner's representation dated 16.02.2016 within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen
For respondents : Mr.A.P.Balasubramani
Government Advocate (Criminal side)

ORDER

It is a petition seeking direction to the 2nd respondent to take necessary steps to cause an enquiry into the averments regarding demand of dowry and harassment as stated in FIR No.14/2015 dated 11.06.2015 by some other agency and to file proper final report by considering the petitioner's representation dated 16.02.2016.



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

3. The learned Government Advocate (Crl. Side) would submit that charge sheet has been filed against the accused persons in respect of Crime No.14/2015 under Sections 498(A), 295(b), 324 and 506(ii) IPC read with Section 4 of Dowry Prohibition Act.

4. The learned counsel for the petitioner would submit that the Social Welfare Officers belonging to both Districts, viz., Trichy and Thanjavur have conducted only biased enquiry and therefore, their statements should not be allowed to be part of the record and direction must be given to the respondents to delete those two reports. This submission cannot be accepted, as the Investigating Officers are duty bound to place complete materials collected before the Court to find out the truth and it is not for them to suppress if any statement is against the case of the defacto complainant and that the fairness demands the same. The only course open to the petitioner herein is to cross examine those two witnesses, if their statements are not true according to the defacto complainant.

5. The learned counsel also made a request to refer the matter to the Mediation Centre. As the final report has already been filed, it is open to the petitioner to make a request to the learned Judicial Magistrate and the learned Magistrate is directed to consider the request, if both parties believe that there is an element of settlement and agree for resolution of disputes through Mediation.

With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Trichy District, Trichy.
2. The Superintendent of Police,
Trichy District, Trichy.
3. The Inspector of Police,
All Women Police Station
Rottal Police Station,
Trichy.



4. The Social Welfare Officer,
Trichy District
Trichy.

5. The Social Welfare Officer,
Thanjavur District, Thanjavur

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

+ 1 CC TO MR.A.HAJA MOHIDEEN, ADVOCATE IN SR No. 29865

RR/AR

TE/ARK-PV/ : 28/06/2016 : 3P/8C

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13.06.2016