



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2016

CORAM

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD).No.9429 of 2016

Tamil Selvi

... Petitioner

-Vs-

State rep.by

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

2.The Inspector of Police,
Arupukottai Town Police Station,
Virudhunagar District.

... Respondents

Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the 1st respondent to direct the respondent no.2 to register a case on the basis of the petitioners complaint dated 24/04/2016 and to proceed with the same.

For Petitioner : Mr.R.K.Karunanidhi

For Respondents : Mr.A.P.Balasubramani

Government Advocate (Crl.Side)

ORDER

It is an application seeking a direction to the second respondent to register a case based on the complaint of the petitioner dated 24.04.2016.

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

3.The sum and substance of the complaint of the petitioner is that on 13.04.2016, the petitioner's daughter Sangeetha was admitted in the Government hospital, Aruppukottai for the purpose of undergoing tonsil surgery. On the same day at about 02.30 pm., it was informed to the petitioner that her daughter has become unconscious. Subsequently she was admitted in the Government hospital, Madurai, where it is informed that



functioning of the brain is affected only due to the drug given by the doctors, prior to surgery. 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.

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 her remedy in the manner known to law.

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

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police, Virudhunagar,
Virudhunagar District.
2. The Inspector of Police,
Arupukottai Town Police Station, Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Mj

CSL/SKS-RR/24.06.2016 :2P/4C

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