



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 23.10.2017

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.11908 of 2015

WEB COPY

P.Alamelumangai : Petitioner

-Vs-

1.The Director,
Central Investigation Bureau,
Tamil Nadu, Chennai.

2.The Deputy Superintendent of Police,
Thirupparankundram.

3.The Additional Director General of Police,
L & O, Chennai.

4.The Inspector of Police,
S.S.Colony Police Station,
Madurai.

5.The Commissioner of Police,
Madurai City. : Respondents

(R5 impleaded suo motu as per the order of this
Court made in Crl.O.P.No.11908/15 dated 30.09.2016)

PRAYER: Criminal Original Petition filed under Section 482 of the
Code of Criminal Procedure, praying to direct the first respondent
to conduct an enquiry.

For Petitioner : Ms.Alamelumangai (Party in person)

For Respondent
No.1 : Mr.S.Jeyakumar, Spl.P.P. For CBI

For Respondent
Nos.2 to 5: Mr.R.Ramachandran,
Additional Public Prosecutor

O R D E R

The petitioner appeared in person. She demanded an In-camera
enquiry. I complied with the said request. Only a woman CISF
personnel was present in the gallery beyond the hearing distance.

2.The petitioner submitted that she was embarrassed to speak
before the court. I asked her to come up to the dais. She was hesitatant.
I therefore came down and sat across the table and asked her to



narrate her version.

3. The petitioner stated that she is a Pharmacist. She complained of being a victim of rape. When I asked her to name the offender, she stated that unless she is given police protection, she will not be able to furnish the details. Even though I spent more than 30 minutes, there was no progress.

4. I could see from the records that this case was listed before quite a few Judges. On account of the non co-operation of the petitioner, the matter came to be dismissed for default on more than one occasion. Even though I restored the main case, still the petitioner is declining to proceed with the matter. The police have filed status reports that do not confirm her allegations. She demands CBI enquiry. She claims that she is being raped when she is asleep. Even though the petitioner is very articulate and is fully aware of what is going on, it is obvious that she is suffering from some kind of inner disturbance. When the petition is completely bereft of details, this Court cannot grant her any relief. CBI cannot be mandated to enquire into any and every complaint. The petitioner repeatedly broke down before me. I could feel her anguish. I do not want to pass any direction that may have a bearing on her liberty. It is obvious that she needs counselling and support. Unless she cooperates, there is nothing that can be done. I can only hope and pray that the petitioner gets well. I have no option but to dismiss this petition.

5. Since this petition has been filed by a woman, who complains of rape, there shall be direction that details of this case shall not be published. The Registry is directed to issue one copy free of cost to the petitioner, if she approaches the Registry. The Media shall not publish anything concerned with this case. This is because, the petitioner complained to me that she is being laughed at and teased. In matters such as this, an attitude of utmost sympathy and sensitivity will have to be adopted. That is why I have issued those directions set out above.

6. With the above observation and directions, this criminal original petition stands dismissed.

Sd/-

Assistant Registrar (RTI)

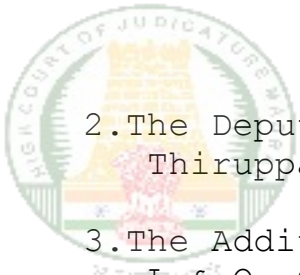
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Sub Assistant Registrar

To

1. The Director,

<https://hcservicecentre.in/Services> Central Investigation Bureau,
Tamil Nadu, Chennai.



2.The Deputy Superintendent of Police,
Thirupparankundram.

3.The Additional Director General of Police,
L & O, Chennai.

4.The Inspector of Police,
S.S.Colony Police Station,
Madurai.

5.The Commissioner of Police,
Madurai City.

+1cc to M/s.P.ALAMELUMANGAI, (Party in person)

Cr1.O.P. (MD) No.11908 of 2015
23.10.2017

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KK/SV MMS/SAR4/24.10.2017/ 3P- 7C/