



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2017

CORAM :

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

CRL.OP(MD)No.13372 of 2017

WEB COPY

Kanchana Balassubramanian

.... Petitioner

vs.

1)Inspector General of Police,
Police Headquarters,
Santhome, Chennai.

2)The Superintendent of Police,
Madurai District.

3)The Inspector of Police,
District Crime Branch,
Madurai.

.... Respondents

Petition filed under Section 482 of Cr.P.C. to direct the 3rd respondent to register a case on the complaint dated 20.01.2017 investigate the same and file final report without any further delay.

For Petitioner	: Mr.K.P.S.Palanivel Rajan
For Respondents	: Mr.K.Anbarasan Government Advocate(Criminal Side)
For Intervenor	: Mr.V.Janakiramulu

ORDER

This petition has been filed seeking to direct the 3rd respondent to register a case on the complaint dated 20.01.2017 investigate the same and file final report without any further delay.

2.It is represented on behalf of the de facto complainant that the de facto complainant in this complaint is alleged to be the accused in this case and that earlier complaint given by the very same petitioner against the de facto complainant before the police was investigated and closed as mistake of fact, but on the very same set of facts, the present complaint has been filed and the same is sought to be registered in this Criminal Original Petition. Therefore, this petition is objected on behalf of the defacto complainant.

3.Since it is a petition for direction seeking by the petitioner to issue a direction to the police to register the case based on the complaint given by the petitioner, it is the duty of the police to register the complaint and investigate whether the



de facto complainant is an accused or not or third party is the accused which can be decided only by the police after registering the complaint. Therefore, the 3rd respondent is directed to register the case on the complaint dated 20.01.2017 and investigate the same in accordance with law. It is for the de facto complainant to work out his remedy in accordance with law.

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

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1) Inspector General of Police,
Police Headquarters,
Santhome, Chennai.

2) The Superintendent of Police,
Madurai District.

3) The Inspector of Police,
District Crime Branch,
Madurai.

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

+1cc to Mr.K.P.S.PALANIVEL RAJAN Advocate in SR. No. 81399
NBI
JS/SV.MMS/SAR.4/3.10.2017/2P-6C

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