



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P.N.PRAKASH

CrI.O.P.(MD)No.3686 of 2017

T.Priya

: Petitioner

-Vs-

1. The Superintendent of Police,
Thanjavur District.

2. The Inspector of Police,
All Women Police Station,
Vallam,
Thanjavur District.

: Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the second respondent to register an FIR on complaint of petitioner dated 19.01.2017 in accordance with law.

For Petitioner : Mr.R.Suresh Kumar

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

O R D E R

It is the case of the petitioner that she had given a complaint dated 19.01.2017, to the second respondent police and as no action was taken on the said complaint, the present petition has been filed, in the light of the law laid down by this Court in ***Sugesan Transport Pvt. Ltd., v. the Assistant Commissioner of Police, J2 Adyar Police Station, Chennai and another*** reported in ***2016(5) CTC 577***.

2. Today, M/s.I.Kalathi, Head Constable, Vallam All Women Police Station, Thanjavur District, is present in Court. On instructions, the learned Government Advocate (Criminal side) submitted that on the complaint given by the petitioner, a petition enquiry was conducted and the same was closed on 27.03.2017 and he has also produced a letter given by the petitioner stating that she will work out her remedies before the appropriate Court.



3. Per contra, the learned counsel for the petitioner submitted that the petitioner filed the present petition in the Registry on 21.03.2017 and on coming to know of it, the police had called the petitioner and had obtained the aforesaid letter by force.

4. Therefore, this Court perused the complaint dated 19.01.2017 given by the petitioner. A reading of the complaint shows that the petitioner is a B.Com., graduate and she fell in love with one Velu Thiagarajan and got married to him in the Registrar Office on 21.02.2006 and through the marriage, she has got two children. In the complaint, she has alleged that her husband had deserted her on 24.12.2016. It is seen that the marriage was in the year 2006 and after more than 11 years, she has come up with the present complaint making allegations against her husband and her in-laws. That apart, the petitioner has also initiated various proceedings under the Domestic Violence Act as well under Section 125 of the Code of Criminal Procedure. Therefore, this Court has no reason to doubt the validity of the letter dated 27.03.2017 that has been given by the petitioner in the presence of her father Mr. Krishnamoorthy, agreeing to work out her remedies before the appropriate Court. Recording the same, this Criminal Original Petition is closed with liberty to the petitioner to work out her remedies in the manner known to law.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thanjavur District.
2. The Inspector of Police,
All Women Police Station,
Vallam, Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.R.SURESH KUMAR, ADVOCATE IN SR No. 50464

SML

<https://hcservices.hcscs.gov.in/hcservices> 02/05/2017 : 2P/5C

Order made in
CRL.O.P.(MD) No.3686 of 2017
Dated: 04.04.2017