



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.02.2017

CORAM

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM
Crl.O.P.(MD) No.21796 of 2016

WEB COPY

Anjalai Devi

... Petitioner

-vs-

The Inspector of Police,
All Women Police Station,
Melur, Madurai District.

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent to arrest the accused based on the First Information Report in Crime No.58 of 2016 on the file of the 3rd respondent police in order to securing ends of the justice to the petitioner and pass such further or other orders.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondent : Mr.K.Anbarasan
Govt. Advocate (Crl.Side)

O R D E R

This petition has been filed, seeking to direct the respondent to arrest the accused, based on the First Information Report, in Crime No.58 of 2016 on the file of the respondent police.

2.The learned counsel for the petitioner would submit that in this case, FIR in Crime No.58 of 2016 has been registered against the petitioner, but the petitioner was not arrested and hence, direction may be given to the respondent to arrest the petitioner.

3.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the investigation is pending and the respondent police is conducting the investigation in a proper manner and hence, this petition is not maintainable in law and prayed for the dismissal of the petition.

4.Heard both sides and perused the materials available on record.

5.It is seen from the records, FIR stands registered in Crime No.25 of 2015 against the accused persons by the Inspector of Police, All Women Police Station, Manamadurai, Sivagangai District, based on the direction given by this court in Crl.O.P(MD)No.3437 of 2016, dated 26.02.2016, which reads as follows:-

<https://hcservices.ecourts.gov.in/hcservices/>

"This petition has been filed to direct the second

respondent to file the final report in Cr.No.25 of 2015 on the file of the respondent police.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) appearing for the State.

3. The learned Government Advocate (Crl. Side) submitted that the investigation in Crime No.25 of 2015 is completed and charge sheet has been filed before the learned Judicial Magistrate, Manamadurai on 06.10.2015.

4. Recording the said submission, this Criminal Original Petition is closed."

6. As per the direction of this court, the police has completed the investigation in respect of Crime No.25 of 2015 and filed a charge sheet before the Judicial Magistrate, Manamadurai on 06.10.2015 itself. Subsequently, the petitioner has given a complaint before the Inspector of Police, All Women Police Station, Melur, Madurai and based on her complaint, a case in Crime No.58 of 2016 registered under sections 498(A) and 406 IPC against the accused persons. In this case, the investigation is in progress and the respondent is conducting independent investigation in a proper manner.

7. In view of the above circumstances, this court is of the considered view that no direction can be issued to the Investigating Officer, as sought for by the petitioner, since the respondent police is conducting the investigation in a proper manner.

8. In the result, this petition is **dismissed** and the respondent police is directed to complete the investigation in respect of Crime No.58 of 2016 and file a final report before the court concerned, within a period of eight weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To:

1. The Inspector of Police,
All Women Police Station,
Melur, Madurai District.

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

+1cc to Mr. R.M.ARUN SWAMINATHAN, ADVOCATE, SR NO.8019

MAS/CM-MSA:22.02.2017:2P/4C

Crl.O.P. (MD) No.21796 of 2016
14.02.2017