



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2017

CORAM:

THE HON'BLE MR.JUSTICE G.CHOCKALINGAM

Crl.O.P. (MD) No.23806 of 2016

K.Divya

: Petitioner

Vs.

1. The State rep.
The Superintendent of Police,
Dindigul District, Dindigul.

2. The Inspector of Police,
Ammayanaickanoor Police Station,
Dindigul District.

: Respondents

Prayer: This petition is filed under Section 482 of Cr.P.C., to direct the 2nd respondent police to include the other persons as accused in the above Crime No.341 of 2016 on the file of the respondent police on the basis of the representation given by the petitioner, dated 15.11.2016.

For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mr.K.Anbarasan

Government Advocate(Criminal Side)

O R D E R

This petition is filed to direct the 2nd respondent police to include the other persons as accused in Crime No.341 of 2016 on the file of the 2nd respondent police, on the basis of the representation given by the petitioner, dated 15.11.2016.

2.The learned counsel appearing for the petitioner would submit that based on the complaint given by the petitioner, case was registered by the 2nd respondent in Crime No.341 of 2016, but the 2nd respondent police left three other persons to include in the FIR for oblique motive and that the petitioner given a representation, dated 15.11.2016 to the respondents police requesting them to include the 3 three persons in the FIR was not considered by the respondents police. Hence, he prayed that suitable direction may be given to the respondents police as stated supra.

3.Per contra, the learned Government Advocate (Criminal side) would submit that based on the complaint given by the petitioner, FIR has been registered in Crime No.341 of 2016 under Sections 204 (1), 406, 429, 323, 506(i) IPC and Section 3(i)(x) of SC and ST Act and also under Section 4 of Tamil Nadu Prohibition of Harassment of



Woman Act, 2002 and after registration of the FIR, the petitioner has given a representation on 15.11.2016. Hence, the present petition filed by the petitioner is not maintainable and prayed for dismissal of the petition.

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4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondents and perused the materials available on record.

5. It is seen from the records that admittedly, based on the complaint of the petitioner, FIR has been registered in Crime No.341 of 2016 and after the registration of the FIR, the petitioner has given a representation, dated 15.11.2016 to include 3 other persons as accused in this case and the same was also considered by the respondents police. It is admitted that the accused in this case, were arrested and released on conditional bail. Hence, the relief sought for by the petitioner is not at all maintainable in law.

6. Hence, this petition is dismissed with a direction to the Investigating Authority to investigate the case properly with all relevant records and the representation given by the petitioner, dated 15.11.2016 also to be considered, on merits and in accordance with law.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To,

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

2. The Inspector of Police,
Ammayanaickanoor Police Station, Dindigul District.

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

+1cc to Mr.B.Jameel Arasu, Advocate, SR.No.3723

Cr1.O.P. (MD) No.23806 of 2016
23.01.2017

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