

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.15279 of 2018

J.Joyce Lydia

.. Petitioner

Vs

1.The Superintendent of Police,
Master Plane Complex,
Thiruthani Main Road,
Tiruvallur-602 001.
Behind Collector Office.

2.The Deputy Superintendent of Police,
Tiruvallur-602 001.

3.The Addl. Deputy Superintendent of Police,
Chittoor Road,
Near Kamala Theatre,
Thiruthani-631 209.

4.The Inspector of Police,
D-2 Tiruvalangadu Police Station,
Tiruvalangadu,
Tiruttani T.K. 631 210.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the respondent Police to secure the accused Fr.Praveen, S/o.William Patrick, who is a parish priest and residing at Fathima Mission, Punitha Fathima Alayam, Thozhuthavur in Cr.No.125 of 2018.

For Petitioner : Ms.Shaikh Mehrunisa

For Respondents : Mr.C.Iyyapparaj, APP

O R D E R

This Criminal Original Petition has been filed to direct the respondent Police to secure the accused in Cr.No.125 of 2018.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3.On the complaint lodged by the petitioner, the 4th respondent registered a case in Crime No.125 of 2018 on 01.05.2018 for offences under Section 294[b] IPC and Section 4 of TNPHW Act, 2002 against one Praveen. While so, the petitioner/de facto complainant has filed the present petition with the above prayer.

4.In view of the law laid down by the Supreme Court in Joginder Kumar Vs State of U.P. [1994 [4] SCC 260] and M.C.Abraham Vs State of Maharashtra [2003[2] SCC 649], a direction to the respondent Police to secure the accused cannot be granted.

5.That apart, learned Additional Public Prosecutor submitted that investigation in Crime No.125 of 2018 was completed and the case has been closed as mistake of fact on 04.05.2018 and the Closure Report has been filed before the learned Judicial Magistrate, Tiruttani in RCS.No.3 of 2018. He further submitted that when the Police attempted to serve the RCS notice on the petitioner/de facto complainant, she evaded and therefore, a copy of it has been pasted on the wall of her house in the presence of the Village Administrative Officer on 05.05.2018.

Recording the same, this petition is closed.

Sd/-

Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

gya

To

1.The Superintendent of Police,
Master Plane Complex,
Thiruthani Main Road,
Tiruvallur-602 001.
Behind Collector Office.

2.The Deputy Superintendent of Police,
Tiruvallur-602 001.

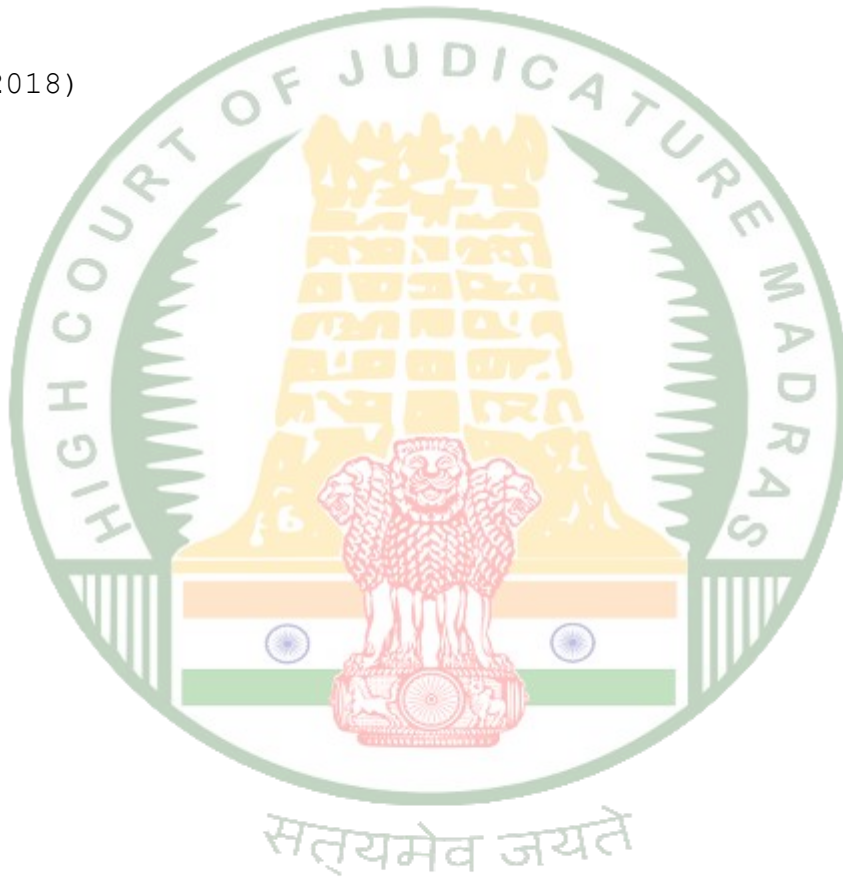
3.The Addl. Deputy Superintendent of Police,
Chittoor Road,
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4.The Inspector of Police,
D-2 Tiruvalangadu Police Station,
Tiruvalangadu,
Tiruttani T.K. 631 210.

5.The Public Prosecutor,
High Court, Madras.

CRL.OP.No.15279 of 2018

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TR(11/08/2018)



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