

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2018

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.27531 of 2018

T.Aruna

.. Petitioner

Vs

1. Lokesh Kanna

2. The Woman Protection Officer
No.43, 2nd Street,
Gandhi Road, Sevilimedu,
Kanchipuram - 631 501.

.. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to directing the 2nd respondent to forward the complaint of DVA/549/A5/2018 dated 30.04.2018 to the Judicial Magistrate - I Chengalpattu for further action.

For Petitioner : Mr.Perumbulavil Radhakrishnan

For R2 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed for a direction to the 2nd respondent who is the Protection Officer to forward the complaint that was given by the petitioner to the concerned Judicial Magistrate Court for further action.

2. The petitioner filed a complaint under the Domestic Violence Act on 14.03.2018 before the 2nd respondent. The 2nd respondent took the complaint on file and also sent notice to the 1st respondent/husband and his parents and relatives. An enquiry was conducted by the 2nd respondent and certain gold jewelery, silver articles and other items were handed over at the time of enquiry.

3. The grievance of the petitioner is that the 2nd respondent ought to have submitted the report before the concerned Magistrate under Section 9 of the Protection of Women from Domestic Violence Act, 2005, in order to workout the remedy of the petitioner before the concerned Court. However, till

date no such report has been filed by the 2nd respondent and therefore there is absolutely no progress in the complaint given by the petitioner.

4. In the facts and circumstances of the case, there shall be a direction to the 2nd respondent to make a domestic incident report and forward the complaint in DVA/549/A5/2018 dated 30.04.2018 to the Judicial Magistrate No.I, Chengalpattu within a period of two weeks from the date of receipt of a copy of this order. Upon such forwarding report on the complaint, it is left open to the petitioner to workout her remedy before the concerned Court in accordance with law.

5. In view of the above direction, this Criminal Original Petition is disposed of.

-s/d-
Deputy Registrar

True Copy

Sub-Assistant Registrar

ssr/ub

To

1. The Judicial Magistrate-I,
Chengalpattu.
2. The Woman Protection Officer,
No.43, 2nd Street,
Gandhi Road, Sevilimedu,
Kanchipuram - 631 501.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Perumbulavil Radhakrishnan, Advocate Sr.80718

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srg 30/11/2018