



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.1880 of 2018

S.Muthuvazhavanthal

... Petitioner

-vs-

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

2.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent police to register the F.I.R. based on that complaint dated 17.01.2018 lodged by the petitioner.

For Petitioner : Mr.K.Rajeshwaran

For Respondents : Mr.Prabhu Ramachandran

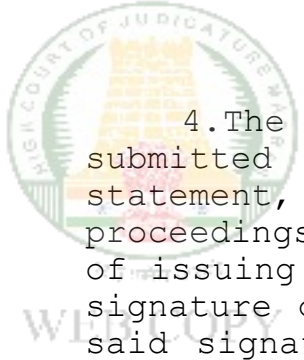
Government Advocate (Crl.Side)

ORDER

This Petition has been filed by the petitioner, to direct the second respondent to register a case based on the complaint given by the petitioner, dated 17.01.2018.

2.The learned counsel appearing for the petitioner has submitted that one, Gas Murugan has frequently quarreled with the petitioner and assaulted with sleeper in public view and hence, a complaint was lodged on 13.01.2018 and the second respondent has issued C.S.R.No.24 of 2018, on 17.01.2018, at that time, the petitioner's signature in two blank white papers have been obtained by the second respondent. He further submitted that since, the second respondent did not take any action, the petitioner has sent another complaint on 25.01.2018, to the first respondent by RPAD and the same has been received by the first respondent on 27.01.2018, but so far, no action has been taken.

3.The learned Government Advocate (Crl. Side) has submitted that on 17.01.2018, the petitioner gave a written statement that no further action need to be taken on her complaint and hence, the said complaint was closed.



4.The learned counsel for the petitioner by way of reply has submitted that the petitioner has not at all given any written statement, requesting the second respondent to drop further proceedings on her complaint. He further submitted that at the time of issuing C.S.R. No.24 of 2018, the second respondent has obtained signature of the petitioner in blank white papers and by using the said signature, he has prepared the written statement, as if, she requested the second respondent to drop further proceedings on her complaint.

5.Admittedly, C.S.R. No.24 of 2018, was issued on 17.01.2018, and that being so, the petitioner would not have given any statement as alleged by the second respondent on the same date itself and therefore, the second respondent is directed to register a case under the relevant provision, if the complaint reveals any cognizable offence and proceed further in accordance with law.

6.With the aforesaid submissions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

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

2.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.

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

+One cc to Mr.K.Rajeshwari, Advocate, SR.No.48000

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RL/5C/2P/SKN/RSK/SAR1/2/3/2018

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