



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.(MD) No.2773 of 2018

M.Selvi

... Petitioner

-Vs-

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

2. The State Represented by
The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents particularly the second respondent to register her complaint dated 09.08.2017 as a crime and conduct investigation in accordance with law and after concluding the same lay the final report before the Court concerned forthwith.

For Petitioner : Mr.S.Palani Velayutham

For Respondents : Mr.Prabu Ramachandran,
Government Advocate(Cr1.side).

O R D E R

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 09.08.2017.

2.The learned counsel for the petitioner has submitted that on 04.04.2017 the proposed accused persons trespassed into the petitioner's land and criminally intimidated her and hence, the petitioner has lodged a complaint and based on that, the second respondent has registered a case in Crime No.100 of 2017, under Sections 447, 294(b), 323, 341 and 506(ii) IPC and Section 4 of Family and Prevention of Harassment of Woman Act, 2002 and even thereafter, the proposed accused persons have continued their



illegal activities. On 04.08.2017, again they trespassed into the petitioner's property dismantle the thatched roof and also attacked the petitioner with sticks. With regard to said occurrence, the petitioner has lodged another complaint on 09.08.2017, but so far, no action has been taken on the said complaint.

3.The learned Government Advocate (Crl.Side) has submitted that since already the case was registered in Crime No.100 of 2017 the second complaint is still pending.

4.Considering the aforesaid submissions, the second respondent is directed to verify whether the second complaint is relating to the offence mentioned in the earlier First Information Report or not. In case the complaint disclosed different offence, then he has to register a case and proceed in accordance with law. Suppose the second complaint is relating to the occurrence which is already mentioned in the First Information Report in Crime No.100 of 2017, then it is open to him to drop further proceedings.

5.With the aforesaid directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Inspector of Police,
Munneerpallam Police Station,
Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Palani Velayutham, Advocate Sr.No.54569

CP

VB/SV/MMS/SAR4/04.04.2018/2P/5C