

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 05.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR**Cr1.O.P. (MD) No. 5217 of 2018**

Masoothammal

: Petitioner

Vs.

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

2. The Deputy Superintendent of Police,
Pattukottai,
Thanjavur District.

3. The Inspector of Police,
Athirampattinam Police Station,
Thanjavur District.

: Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to direct the third respondent to register a case/FIR on the complaint given by the petitioner, dated 18.03.2018 and investigate into the case.

For Petitioner : Mr. S. Muthukumar

For Respondents : Mr. K. K. Ramakrishnan

Additional Public Prosecutor

ORDER

This petition has been filed to direct the third respondent to register a case/FIR on the complaint given by the petitioner, dated 18.03.2018 and investigate into the case.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the State and perused the materials placed on record.

3. According to the petitioner, already there was a civil dispute between the petitioner and the propose accused persons. That being so, on 15.03.2016, at about 10.00 a.m., one of the proposed accused person approached the petitioner and requested her to come to the Thajul Islam Sangam, Jumma Pallivasal Jamathars at about 08.00 p.m. to decide the dispute amicably. Subsequently, when the petitioner approached the accused persons, she was



threatened by 20 persons to withdraw the writ petition, which has been filed before this Court and when they refused, they gave life threat to the petitioner. On 16.03.2018, at about 11.30 a.m. some of the persons belonged the Thajul Islam Sangam removed the roof of the thatched house belongs to the petitioner. When the same was questioned by the petitioner, and her brother, the proposed accused persons attacked the petitioner and her brother by using Kadaparai and wooden log, caused injuries and taken away 5 sovereigns of gold, her hand bag, in which she kept Rs.10,300/- and a cell phone. Subsequently, the proposed accused have excommunicated the petitioner and her brother from the village and therefore, they cannot do any work in their house. Hence, she made a complaint on 18.03.2018 to the third respondent as well as to the Higher Authorities to register a case against the proposed accused persons. As there was no case registered on the said complaint, the petitioner has come up with this petition.

4. The learned Additional Public Prosecutor, on instructions, would submit that now, 107 proceedings has been initiated by the third respondent police and the petition enquiry is pending.

5. In view of the above submission, the third respondent is directed to expedite the enquiry and complete the same as expeditiously as possible. During the course of enquiry, if any cognizable offence is made out, the third respondent police shall take action in accordance with law. In case of closure of the complaint, a copy of the closure report be furnished to the petitioner within a week of such closure. On receipt of the same, it is open to the petitioner to work out her remedy in the manner known to law.

5. With the above direction, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

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

2. The Deputy Superintendent of Police,
Pattukottai,

<https://hcservices.gov.in/hcservices> District.



3. The Inspector of Police,
Athirampattinam Police Station,
Thanjavur District.

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

+1cc to Mr.S.Muthukumar, Advocate Sr.No.59928

PJL

VB/SV/MMS/SAR2/23.04.2018/3P/6C

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