



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CRL.O.P. (MD) No.15804 of 2017

Priya

: Petitioner

Vs.

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

2.The State rep. by,
The Inspector of Police,
District Crime Branch,
Theni, Theni District.

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondents particularly the 2nd respondent to register a case on complaint given by the petitioner dated 31.10.2017 within a time as stipulated by this Court.

For Petitioner : Mr.B.Jeyakumar

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Criminal Side)

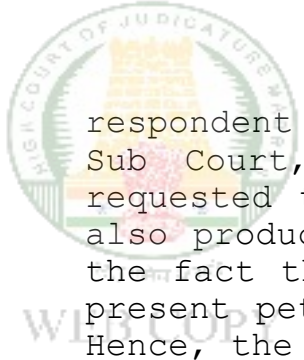
O R D E R

This petition is filed seeking a direction to the second respondent police to register a case based on the complaint given by the petitioner dated 31.10.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.

3. According to the petitioner, the petitioner made a complaint against the proposed accused on 31.10.2017. But the complaint has not been registered so far. Hence, the present petition has been filed before this Court.

4. When the matter is taken up for hearing, the learned Government Advocate (Criminal side) on instructions, would submit that the petitioner submitted a letter dated 22.11.2017 before the



respondent police by stating that the dispute is pending before the Sub Court, Uthamapalayam in O.S.No.109 of 2016. Therefore, she requested the respondent police to withdraw the said complaint. He also produced a copy the said letter before this Court. In view of the fact that the Civil Suit is pending, the issue involved in the present petition will be subject to the outcome of the Civil Suit. Hence, the compliant has not been registered.

5. At this juncture, the learned counsel for the petitioner would submit that the above said Suit was withdrawn in the month of April, 2018. Therefore, liberty may be granted to file a fresh complaint before the respondent police in this regard.

6. In the light of the above said fact, the Criminal Original Petition is dismissed with liberty to the petitioner to make a fresh complaint before the respondent police, if necessary.

Sd/-

Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
District Crime Branch,
Theni,
Theni District.

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

+1CC to Mr.B.Jeyakuamr Advocate in SR.No.67709.

PJL

DS/SV/MMS/SAR-2 :25.06.2018: 2P/5C

CRL.O.P. (MD) No.15804 of 2017

11.06.2018