



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.16606 of 2017

V.N.Athira

... Petitioner

-Vs-

1. The State rep. By
The Superintendent of Police,
Nagercoil,
Kanyakumari District.
2. The Inspector of Police,
All Women Police Station,
Kuzhithurai,
Kanyakumari District

..... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to issue a direction to the 2nd respondent herein to register a case against the proposed accused namely Sivaprasath, Presannakumari, Pretheeja and Rajesh based upon the complaint made by the petitioner before the 2nd respondent herein on 01.11.2017, investigate the same and to file the final report against all the proposed accused in accordance with law.

For Petitioner : Mr.B.Brijesh Kishore
For Respondents 1 & 2 : Mr.A.P.G.Ohm Chairma Prabhu
Govt. Advocate (Crl.Side)

O R D E R

This Criminal Original petition has been filed to direct the 2nd respondent to register a case, based on the complaint given by the petitioner, dated 01.11.2017.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents 1 & 2.

3.The learned counsel for the petitioner has submitted that the petitioner's husband and her in-laws have caused cruelty to the petitioner by demanding dowry. He further submitted that by force, they have obtained a sale deed from the petitioner's father in respect of a house property measuring about 2 cents in favour of the petitioner's mother-in-law on 03.03.2015 and even thereafter, they are not satisfied and continued to give harassment to the petitioner



and hence, the petitioner has lodged a complaint before the second respondent on 01.11.2017, but, sofar, no action has been taken.

4.The learned Government Advocate (Crl.Side) has submitted that after receipt of the complaint, CSR.No.32 of 2017 was issued and the matter has been referred to mediation. But mediation failed and mediation report is yet to be received. He further submitted that after receipt of the mediation report, further action will be taken on the petitioner's representation.

5.Considering the aforesaid submissions, the second respondent is directed to obtain mediation report at early and verify the same and also to conduct a preliminary enquiry with regard to the petitioner's complaint and if the enquiry reveals any cognizable offence, then, she has to register the case and proceed with the same in accordance with law.

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

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.
2. The Inspector of Police,
All Women Police Station,
Kuzhithurai,
Kanyakumari District.
- 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+1CC TO Mr.B.Brijesh Kishore, Advocate, Sr No.51245

CRL.O.P.(MD)No.16606 of 2017
23.02.2018

vs

MS/SKN-RSK/SAR-3/15.03.2018/2P.5C