



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

CRL.O.P.(MD)No.11712 of 2018

Sindiya

... Petitioner

-vs-

1.State Rep. by
The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2.The Sub-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 direct the first respondent to instruct the second respondent to register a case on complaint given by the petitioner, dated 19.06.2018.

For Petitioner : Mr.N.S.Ramakrishnadass
For Respondents : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.side)

ORDER

This petition has been filed praying to direct the first respondent to instruct the second respondent to register a case based on the complaint given by the petitioner, dated 19.06.2018.

2.The learned counsel for the petitioner has submitted that the petitioner has lodged a complaint before the respondents on 19.06.2018, but sofar, no action has been taken and hence, the petitioner has filed the present Criminal Original Petition.

3. The learned Government Advocate (Crl.side) appearing for the respondents, on instructions, would submit that the complaint preferred by the petitioner is a family dispute and in the light of the decision of the Hon'ble Supreme Court of India in Rajeshsarma & others vs. State of U.P., and others reported in 2017 AIR (Criminal) 796, the complaint has been forwarded to the District Legal Services

Committee, Nagercoil, Kanyakumari District and the same is pending.

4. Considering the above facts, the prayer sought for by the petitioner cannot be granted at this stage and hence, this Criminal Original Petition is dismissed as not maintainable with liberty to the petitioner to seek his remedy at the later stage, if necessary.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2. The Sub-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. N. S. Ramakrishna Dass, Advocate in SR.No.72640.

AM

DS/RP/SAR-3 : 01.08.2018: 2P/5C

CRL.O.P. (MD) No.11712 of 2018

12.07.2018