



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.09.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

WEB COPY

Crl.O.P.[MD] No.9125 of 2017

Kavitha

: Petitioner

vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Trichy, Trichy District.

2. The Sub Inspector of Police,
Upiliyapuram Police Station,
Trichy District.

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the first respondent to withdraw the complaint lodged by the petitioner on 07/09/2015 on the file of the second respondent and entrust the same to any other Competent Officer and proceed in accordance with law within the time stipulated by this Court.

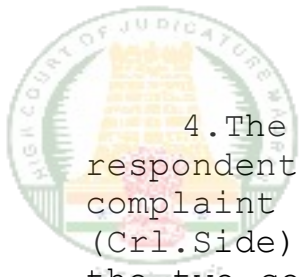
For Petitioner : Mr.V.Rajiv Rufus
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed for a direction to withdraw the complaint lodged by the petitioner on the file of the second respondent and entrust the same to any other competent officer.

2.The case of the petitioner is that a complaint was given by the petitioner on 07.09.2015 to the effect that the father in law of the petitioner was forced to come to the police station and was threatened to accept a sum of Rs.1,25,000/- instead of Rs.15,00,000/-, which was given by him as loan.

3.Pursuant to the complaint, the petitioner has filed Crl.O.P. (MD) No.18858 of 2015 before this Court for a direction to the respondent police to register the FIR. This Court by an order dated 30.09.2015, directed the second respondent to register a case if the same makes out a cognizable offence.



4.The learned Government Advocate (Crl.Side) for the respondents would submit that the second respondent has closed the complaint as civil in nature. The learned Government Advocate (Crl.Side) for the respondents would further submit that based on the two complaints that were given against the petitioner's father in law, two FIR have been registered in Crime Nos.219 and 433 of 2015 against one Ponnusamy.

5.It is seen from records that a serious allegation has been made by the petitioner against certain police officials for forcibly taking her father in law and making him to concede for receiving the loan amount of Rs.1,25,000/- as against Rs.15,00,000/-. The closure report filed by the respondent police also does not reflect any statement taken from any witness and it looks like the complaint has been closed in a routine manner.

6.In the facts and circumstances of the case, there shall be a direction to the Deputy Superintendent of Police, Musiri, to take the complaint dated 07.09.2015 given by the petitioner and to make necessary enquiry and proceed with the case in accordance with law.

7.This criminal original petition is disposed of with the above direction.

sd/
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Trichy, Trichy District.
2. The Sub Inspector of Police,
Upiliyapuram Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

mm

DS/RP/SAR3/27.10.2018/2P/4C

Cr1.O.P.[MD] No.9125 of 2017
24.09.2018