



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2018

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WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CRL.O.P. (MD) No.10047 of 2018

A.Ramalakshmi

: Petitioner

Vs.

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Deputy Superintendent of Police,
Rural Sub Division,
Tirunelveli District.
3. The Inspector of Police,
Taluk Police Station,
Palayamkottai,
Tirunelveli District.
4. Albert
5. Senthil

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondents 1 to 3 to take appropriate criminal action against the respondents 4 and 5 by registering a criminal case based on the complaint lodged by the petitioner on 25.05.2018 and take consequential criminal action within the time stipulated by this Court.

For Petitioner : Mr.Niranjan S.Kumar
For Respondents 1 to 3 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor
For Respondents 4 and 5 : Mr.Haja Mohideen Gisthi

O R D E R

This petition is filed seeking a direction to the third respondent to register the FIR based on the petitioner's complaint dated 25.05.2018.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the State.



3. According to the petitioner, the petitioner made a complaint to the third respondent against the proposed accused on 25.05.2018 alleging that the proposed accused are trying to grab the petitioner's property by fabricating bogus settlement deed and impersonating sale deed. But no action has been taken on the said complaint. Hence, the present petition has been filed before this Court.

4. The learned Additional Public Prosecutor on instructions, would submit that during the enquiry both parties have appeared and since the dispute is purely civil in nature, the third respondent police advised both parties to approach the Civil Court to work out their remedy. Hence, the complaint was closed. He also produced the closure report before this Court.

5. At this juncture, the learned counsel for the petitioner undertakes that the petitioner will approach the Civil Court to work out her remedy. He further submitted that the petitioner is having threat to her life and limb at the hands of the proposed accused. Hence, he seeks police protection to the petitioner's life and limb.

6. Perusal of the complaint made by the petitioner shows that the said complaint is in comprehensive nature. Therefore, this Court cannot give any direction to the third respondent to take further action in the said complaint. However, if still the petitioner is having any threat to her life and limb, it is always open to the her to make a representation before the first respondent. If any such representation made by the petitioner, the same shall be considered by the first respondent in the manner known to law.

7. With the above direction, this Criminal Original Petition is dismissed with liberty to the petitioner to approach the appropriate forum to work out her remedy in the manner known to law.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

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

2. The Deputy Superintendent of Police,
<https://hcservices.ecourts.gov.in/hcservices/>
Rural Sub Division,
Tirunelveli District.



3. The Inspector of Police,
Taluk Police Station,
Palayamkottai,
Tirunelveli District.

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

PJL

TE/SKN-RSK/SAR-3 : 02/07/2018 : 3P/5C

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