



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

Crl.O.P.(MD)No.12067 of 2018

Sakunthala

... Petitioner

Vs.

1.The Director General of Police,
DIG Office,
Race Course Road,
Kajamalai,
Trichy.

2.The Superintendent of Police,
Trichy District,
Trichy.

3.The Inspector of Police,
Siruganur Police Station,
Siruganur,
Trichy District.

...Respondents

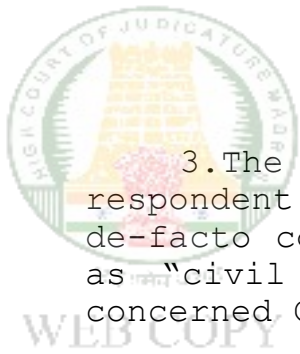
PRAYER: This Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents to register the case against the proposed accused persons based upon the complaint given by the petitioner dated 26.06.2018.

For Petitioner	: Mr.S.Gokul Raj
For Respondents	: Mr.K.Suyambulingabharathi Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the respondents to register the case against the proposed accused persons, based upon the complaint given by the petitioner dated 26.06.2018.

2.The learned counsel appearing for the petitioner would submit that even though the petitioner has obtained a decree for the relief of declaration and mandatory injunction in O.S.No.95 of 2016 before the District Munsif Court, Lalgudi in her favour, the proposed accused has prevented the petitioner from using the said pathway and also threatened her with dire consequences. In this regard, the petitioner preferred a complaint on 21.06.2018 before the Siruganur Police Station. Since no action has been taken, the petitioner has filed the present criminal original petition.



3.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the complaint preferred by the de-facto complainant has been enquired and the same has been closed as "civil in nature" and advised the parties to approach the concerned Court for appropriate relief.

4.Considering the nature of the decree obtained by the petitioner as well as the statement given by the learned Government Advocate (Crl.side), nothing survives for further adjudication in this petition. Hence, this Criminal Original Petition is dismissed. However, liberty is given by the petitioner to work out his remedy before the appropriate forum.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Theppakulam Police Station,
Theppakulam,
Madurai.

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

+1cc to M/S.S.Gokul Raj, Advocate SR.No. 73654

Crl.O.P.(MD)No.12067 of 2018
17.07.2018

ns

JM/SV/SAR 3/01.08.2018/2P/5C