

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.3415 of 2013

R.Jeyakodi

... Petitioner

Vs.

- 1) The Superintendent of Police,
Namakkal District, Namakkal.
- 2) The Inspector of Police,
All Women Police Station,
Namakkal, Namakkal District.
- 3) The Sub-Inspector of Police,
Erumaipatti Police Station,
Namakkal District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the second respondent to register a case on the complaint dated 19.12.2012 lodged by the petitioner.

For Petitioner : Mr.P.Kannankumar

For Respondents : Mrs.T.P.Savitha
Government Advocate (Crl.Side)

ORDER

The petitioner herein has filed this present petition seeking directions of this Court to the second respondent to register a case on the complaint lodged by the petitioner dated 19.12.2012.

2 The petitioner has earlier filed complaint against her husband and in-laws before the third respondent on 19.12.2012 and before the first respondent on 21.12.2012 and she has also filed complaint before the second respondent police on 19.02.2013 and since no effective step was taken by the respondents police to register the case and investigate the matter, the petitioner has filed the present criminal original

petition seeking direction to the second respondent to register the case against the accused.

3 The learned counsel appearing for the petitioner would submit that even though, the petitioner, in her complaint, has stated about the cruelty meted out by her at the hands of the accused, the respondent police, instead of registering the case and investigating the matter, simply kept quiet without taking any action for more than seven years. Even the discharge summary enclosed in this petition would clearly show that the petitioner was severely beaten by the accused and was taking treatment for more than 5 days as inpatient. The accused thrown away the petitioner and her child from the matrimonial home, demanding dowry. There is no valid reason offered by the respondent police for such delay and hence the learned counsel seeks directions of this Court to the second respondent police to register the case on the complaint given by the petitioner on 19.12.2012.

4 Even though, the matter is pending before this Court from the year 2013, the learned Government Advocate (Crl.Side) would submit that the complaint was forwarded to Social Welfare Officer and subsequently the second respondent on 11.07.2019 has closed the complaint.

5 Heard the learned counsel appearing on either side and perused the materials available on record.

6 Admittedly the petitioner has lodged complaint before the third respondent on 19.12.2012 and since no action was taken on the complaint, she once again lodged complaint before the second respondent on 19.02.2013. It is seen that the respondents have not taken any action on the complaint and even they have not registered the complaint and simply the second respondent forwarded the complaint to the Social Welfare Officer and was kept in abeyance. On the reading of the paper, produced by the learned Government Advocate, it reveals that the complaint dated 19.02.2013 was closed on 11.07.2019 by the third respondent, which shows the lethargic attitude of the respondents police/Investigating Officers. This Court is of the view that the Investigating Officers have not performed their duty and they are only helping the person, who is having money, muscle and political power and not the ordinary citizen and this case is one of the best examples.

7 In the result, this criminal original petition is allowed and the second respondent police is directed to hand over the complaint lodged by the petitioner dated 19.12.2012 to

the Inspector of Police, CBCID, Namakkal District and CBCID, Namakkal District, is directed to investigate into the matter and file a final report within a period of three months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Namakkal District, Namakkal.
2. The Inspector of Police,
All Women Police Station,
Namakkal, Namakkal District.
3. The Sub-Inspector of Police,
Erumaipatti Police Station,
Namakkal District.
- 4) The Inspector of Police,
CBCID, Namakkal District.
- 5) The Public Prosecutor,
High Court of Madras, Chennai -104.

+1 cc to M/s.P.Kannankumar, Advocate Sr.No. 91451

AKM/04.12.19/3P-7C /

सत्यमेव जयते

Cr1.O.P.No.3415 of 2013

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