



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2019

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No. 6812 of 2019

Minor Thavamani

... Petitioner

Vs.

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

2.The Inspector of Police,
Somarasampettai Police Station,
Somarasampettai,
Trichy District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents to complete the preliminary enquiry on her complaint dated 26.02.2019 and take further action.

For Petitioner : Mr.K.Arunraj
For Respondents : Mrs.S.Bharathi
Government Advocate

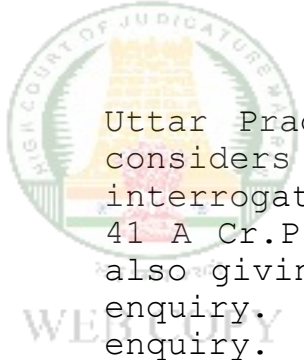
ORDER

This petition has been filed to direct the respondents to complete the preliminary enquiry on her complaint dated 26.02.2019 and take further action.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

3. The petitioner, a minor, herself complains that she and her younger brother were abused by her relatives. A copy of the complaint dated 26.02.2019 is also enclosed it the typed set of papers.

4. On the face it, it discloses commission of offence against minor children, who are unfortunately orphaned by the fate of their circumstances. Technically, they are under the care of the society. This Court now directs the respondent police to act with higher degree of sensitivity and if the complaint discloses prima facie commission of any cognizable offence, necessarily the investigating Officer should follow the principles in the judgment reported in 2013 (6) CTC 353 [Lalitha Kumari Vs. Government of



Uttar Pradesh] case. If on the other hand the first respondent considers that it is necessary to hold any preliminary enquiry / interrogation, the same shall be done only on summons under Section 41 A Cr.P.C., mentioning a specific date and time for enquiry and also giving reasonable time for him to travel to the venue of such enquiry. The petitioner is also directed to co-operate with the enquiry. During enquiry, there shall not be harassment to the petitioner.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

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To

- 1.The Superintendent of Police,
Trichy District, Trichy.
- 2.The Inspector of Police,
Somarasampettai Police Station,
Somarasampettai,
Trichy District.

+1CC TO MR.K.ARUNRAJ, Advocate Sr. No. 57870

Order made in
W.P.(MD)No.6812 of 2019
29.03.2019

NRK(CO)

TR (03.05.2019) 2P 4C