



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CrI.O.P. (MD)No.5218 of 2020

WEB COPY

Jeyanthi

...Petitioner

Vs.

1.State Through
Inspector of Police,
Dindigul Town,
South Police Station.

2.Venkatesan

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent not to harass petitioner based on her representation and also her statement given before the 1st respondent dated 20.03.2020.

For Petitioner : Mr.K.R.Singaravadivel
For R1 : Mr.V.Neelakandan
Additional Public Prosecutor.(CrI.side)

ORDER

This petition has been filed to direct the 1st respondent not to harass petitioner based on her representation and also her statement given before the 1st respondent dated 20.03.2020.

2.Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor (Criminal Side) for the respondent.

3.The learned counsel for the petitioner would submit that the 2nd respondent is her younger brother. The petitioner is the absolute owner of the the house property in 2A,Sholankani Street, Nagal Nagar, Santhai Road, Dindigul District by way of registered settlement deed executed by her father NathaGopal Chettiar vide document No.3278/12 dated 15.06.2012 and she is enjoying one portion out of the whole property and in the remaining portion, the 2nd respondent Venkatesan is residing. The grievance of the petitioner is that on 23.03.2020, the 2nd respondent, who is practicing Advocate, with the help of Bar Association, compelled the petitioner to vacate from the premises. Hence, the petitioner filed a Civil Suit in O.S.No.7 of 2020 against the 2nd respondent before Dindigul Munsif Court, which is pending. Subsequently, the 2nd respondent also filed a Civil Suit against the petitioner in O.S.No.27 of 2020. At this juncture, the 2nd respondent gave complaint to the 1st respondent police on 19.03.2020 and the petitioner was called for enquiry and the respondent police insisted the petitioner to vacate the premises and obtained her signature. Therefore, the petitioner



gave complaint on 20.03.2020. Since no action has been taken, the petitioner is before this Court with the present Criminal Original Petition.

4.The learned Additional Public Prosecutor, on instructions, would submit that based on the complaint given by the 2nd respondent, CSR No.92 of 2020 has been assigned and subsequently, a case in Cr.No.128 of 2020 also been registered against the petitioner and her husband, for the offences under Sections 294(b), 323 and 506(i) IPC. He would further submit that on the basis of the complaint given by the petitioner, CSR No.96 of 2020 has been assigned on 24.03.2020 and the enquiry is pending.

5. Admittedly, based on the complaint given by the 2nd respondent, a case has been registered in Cr.No.128 of 2020. The petitioner's complaint is still pending on the guise of enquiry. The respondent police is directed to further act on the complaint of the petitioner in the manner known to law, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above observation and direction, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Inspector of Police,
Dindigul Town, South Police Station.

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

+1 CC to Mr.J.GURU SANKARA MUTHIAH, Advocate SR.No. 24335

Crl.O.P. (MD)No.5218 of 2020

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CK(CO)

TR(11.01.2021) 2P 4C

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