



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.10808 of 2020

WEB COPY

Soundarya

... Petitioner/Defacto Complainant

Vs.

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

2.The Inspector of Police,  
Serakulam Police Station,  
Tuticorin District. ... Respondents  
(In Crime No.10 of 2019)

**Prayer:** Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the 1<sup>st</sup> respondent to instruct the 2<sup>nd</sup> respondent to include the said Venkatesh in the charge sheet in the charge sheet in Crime No.10 of 2019 dated 13.05.2019, for an offence under Sections 448, 354A, 506(ii) and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

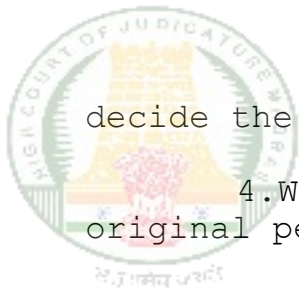
|                 |                                                      |
|-----------------|------------------------------------------------------|
| For Petitioner  | : Mr.M.Veilkani Raju                                 |
| For Respondents | : Mr.V.Neelakandan,<br>Additional Public Prosecutor. |

### **O R D E R**

Heard the learned counsel on either side.

2.The petitioner is the defacto complainant in Crime No.10 of 2019 registered for the offence under Sections 448, 354A and 506(ii) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

3.The petitioner's grievance is that even though the petitioner had implicated one Venkatesh, he has been left out. The learned Additional Public Prosecutor states that final report was filed as early as on 25.03.2019 against one Ramakrishnan. Therefore, the petitioner is permitted to file a protest petition before the jurisdictional Court. The learned jurisdictional Magistrate will hear the protest petition as well as consider the final report filed by the police and take a call as to whether cognizance should be taken against Ramakrishnan as well as Venkatesh. It is entirely for the jurisdictional Magistrate to



decide the issue.

4. With this liberty to file a protest petition, this criminal original petition is disposed of.

WEB COPY

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

ias

**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 Superintendent of Police,  
Tuticorin District,  
Tuticorin.
2. The Inspector of Police,  
Serakulam Police Station,  
Tuticorin District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Crl.O.P. (MD) No. 10808 of 2020

05.10.2020

pk (CO)  
KK (20.10.2020) 2P 4C