



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P.(MD).No.3104 of 2016

P.Yasmin Sulthan

.. Petitioner

Vs.

1.The State represented by
The Inspector General of Police,
South Zone,
New Natham Road,
Madurai.

2.Mr.Balaguru
Inspector of Police,
Bodi Town Police Station,
Bodi, Theni District.

3.Mr.Pitchaiamani
Sub Inspector of Police,
Bodi Town Police Station,
Bodi, Theni District.

4.Mr.Sagadevan
Sub Inspector of Police,
Bodi Town Police Station,
Bodi, Theni District.

5.Mr.Anbuselvam
Special Sub Inspector of Police,
DSP - Office,
Bodi, Theni District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation, dated 14.10.2015.

For Petitioner	:	Mr.C.Sundaravadivel
For Respondents	:	Mr.C.Ramar for R1 Additional Government Pleader

ORDER

This writ petition is filed for issuing a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation, dated 14.10.2015.

2.The petitioner has submitted a representation to the first respondent to take criminal action against the accused in a criminal complaint stated to have been lodged by the petitioner and to recommend for punish those accused for all the offences mentioned in the complaint.



3.As per the first information report in Crime No.453 of 2014, it is stated that the accused has committed the offence punishable under Sections 147, 448, 294(b), 323, 427, 109 and 506(i) of IPC. It is admitted that based on the complaint, the further investigation was done by the second respondent. After investigation a charge sheet was also filed for certain offences. It is further stated that the final report was taken on file by the learned District Munsif cum Judicial Magistrate, Bodinaickanur, in S.T.C.No.107 of 2015 and that the said proceedings was ultimately ended in conviction of accused and punishment was imposed on A3, A5 to A7, while leaving A1 and A2. It is after the verdict by criminal court imposing punishment on the accused, the petitioner submitted a representation and filed the present writ petition.

4.When the petitioner's complaint was registered and enquired by the competent authority, it can be presumed that the investigation was properly done. The charge sheet was filed and taken on file by the concerned criminal court. After the criminal court disposed of the matter convicting the accused, the petitioner has come forward with the present writ petition. The petitioner had an opportunity earlier to file a petition during the course of enquiry to seek reinvestigation. But the petitioner has approached this Court after the criminal Court has given final verdict. No special reason is stated by the petitioner to direct reinvestigation or further proceedings. In such circumstances, this Court is of the view that the writ petition is devoid of merits

5.Hence, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

To
The Inspector General of Police,
South Zone, New Natham Road, Madurai.

+1 CC to M/s.SPL.GP (SR-7033[F] dated 19/02/2020)

W.P. (MD) .No.3104 of 2016
18.02.2020

SMA/05/03/2020/2P/3C