



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 26.10.2021

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WEB COPY

THE HONOURABLE **MR.JUSTICE G.ILANGOVAN**

Crl.O.P. (MD)No.16276 of 2021

Divya ... Petitioner

Vs.

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

2.The Inspector of Police,
All Women Police Station,
Lalgudi, Trichy District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent to transfer the petitioner's complaint dated 22.06.2021 on the file of the second respondent to any other Police Station, other than the second respondent.

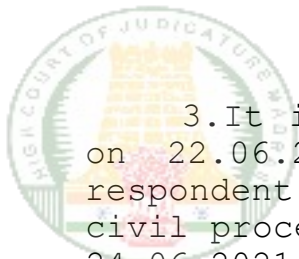
For Petitioner : Mr.A.Joel Paul Antony

For Respondents : Mr.RMS.Sethuraman,
Additional Public Prosecutor.

ORDER

This criminal original petition has been filed to direct the first respondent to transfer the petitioner's complaint dated 22.06.2021 on the file of the second respondent to any other Police Station, other than the second respondent.

2.Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that on the basis of complaint given by the petitioner, an enquiry was initiated in C.S.R.No.206 of 2021. During enquiry, it was found that it was matrimonial dispute between the husband and wife with regard to the impotency of the husband. He further submitted that the petitioner gave a statement that she will workout her remedy through proper civil proceedings and recording the same, the complaint was closed on 24.06.2021. Thereafter, another complaint seems to have been given by the petitioner on 09.10.2021, which was also received by the District Superintendent of Police, Trichy. When the complaint was closed by the second respondent herein, another complaint for the same cause of action is not maintainable.



3.It is seen that earlier the petitioner preferred a complaint on 22.06.2021 and she given an undertaking before the second respondent police that she will workout her remedy through proper civil proceedings and recording the same the complaint was closed on 24.06.2021. For the very same cause of action, she preferred another complaint before the Superintendent of Police, Trichy on 09.10.2021. Since the earlier complaint was closed recording the statement of the petitioner, there is no reason to file another complaint for the very same cause of action. The petitioner can workout her remedy in the manner known to law. There is no merits in the present petition. Accordingly, this criminal original petition is dismissed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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,
Trichy District, Trichy.
- 2.The Inspector of Police,
All Women Police Station,
Lalgudi, Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.16276 of 2021
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RD/SKN(18.11.2021) 2P 4C