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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.Nos.20342 & 20307 of 2018

R.Ponmalar ... Petitioner in both Crl.O.Ps.

Versus

- 1.The Superintendent of Police,
Namakkal District,
Namakkal.
- 2.The Deputy Superintendent of Police,
Trichengode.
- 3.State Rep. By
The Inspector of Police,
Pallipalayam Police Station,
Pallipalayam.
- 4.P.Gunaprakasam
- 5.G.Nivetha
- 6.Savitha
- 7.S.Abilesh
- 8.Dheenasankar ... Respondents in both Crl.O.Ps.

PRAYER in Crl.O.P.No.20342 of 2018 : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 3rd respondent to register the complaint on the basis of petitioner's complaint dated 18.04.2018 and proceed with investigation in accordance with law.

PRAYER in Crl.O.P.No.20307 of 2018 : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondents 1 to 3 to give police protection to the petitioner and her family members' life and properties on the basis of petitioner's complaint dated 18.04.2018.

For Petitioner : Mr.Marudhachalamurthy
in both Crl.O.Ps.

For RR-1 to 3 : Mr.A.Damodaran
in both Crl.O.Ps. Additional Public Prosecutor



COMMON ORDER

These petitions have been filed seeking a direction to the 3rd respondent to register the petitioner's complaint dated 18.04.2018 and to give police protection to the petitioner and her family members' life and properties on the basis of her complaint dated 18.04.2018.

2. Learned Additional Public Prosecutor submits that the petitioner herein had filed this petition seeking registration of F.I.R. as well as for police protection. In this case, petitioner's complaint has been concluded and closed as "No further action required" on 19.04.2018. The closure report has been sent to the petitioner.

3. Mr. Marudhachalamurthy, learned counsel appearing for the petitioner opposed the same stating that the closure report pertains to earlier complaint dated 08.03.2018. The petitioner has sent a complaint on 08.03.2018. The respondent-Police not acted upon the same. Thereafter, he sent a representation to the Superintendent of Police on 18.04.2018 referring to earlier complaint dated 08.03.2018 and for the subsequent developments. Thereafter, no action taken. In the closure report, the petitioner's complaint dated 18.04.2018 has been projected as offshoot of earlier complaint, which is not proper.

4. The learned Additional Public Prosecutor produced the closure report, with connectives, on perusal of the same it is seen, there is a running dispute between the petitioner and private respondents for quite some time. Case and counter cases filed between them in Crime Nos. 372/2017, 375/2017, 142/2018 and 143/2018. Apart from this, there is also Civil suit between them. The Inspector of Police, Pallipalayam enquired all these facts, thereafter closed the complaints, as 'no further action required'. Now the complaints of the petitioner dated 08.03.2018 and 18.04.2018, closed, action dropped. The petitioner in the event of not receiving the report, he is directed to approach the third respondent, who shall furnish the further action dropped report to the petitioner. Thereafter the petitioner to agitate the same, if so desires in the manner known to law.

5. In view of the closure report dated 19.04.2018, the prayer sought for in CrI.O.P.No.20342 of 2018 has become infructuous. Accordingly, CrI.O.P.No.20342 of 2018 is dismissed as infructuous.

6. CrI.O.P.No.20307 of 2018 is filed seeking police protection in the event of registration of complaint dated



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18.04.2018. Since it is ancillary to the prayer in Crl.O.P.No.20342 of 2018, in view of the dismissal of the said petition, Crl.O.P.No.20307 of 2018 is closed.

Sd/-

Assistant Registrar (CS-II)

//True copy//

Sub Assistant Registrar

rsi

To

- 1.The Superintendent of Police,
Namakkal District,
Namakkal.
- 2.The Deputy Superintendent of Police,
Trichengode.
- 3.The Inspector of Police,
Pallipalayam Police Station,
Pallipalayam.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Marudhachalamurthy, Advocate SR.No.30493

CRL.O.P.Nos.20342 & 20307 of 2018

AK II (CO)
GMV (07/07/2022)