



Crl.O.P No.28787 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.28787 of 2022

Kalaivani

... Petitioner

Vs.

The State rep. by the
Sub-Inspector of Police,
Thittagudi Police Station,
Cuddalore District.
(Cr. No.394/2021)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to take appropriate steps to sponser the petitioner and eye witnesses Miss.Suganthi and petitioner's sister Meena to record their statement under Section 164 Cr.P.C. before the Magistrate concern in accordance with law in respect of Cr. No.394 of 2022 on the file of the respondent herein.

For Petitioner : Mr.M.Velmurugan

For Respondents : Mr. S.Santhosh
Government Advocate (Crl.side)



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ORDER

This Criminal Original Petition has been filed to direct the respondent to take appropriate steps to sponser the petitioner and eye witnesses Suganthi and Meena to record their statement under Section 164 Cr.P.C. before the Magistrate concerned in accordance with law in respect of Cr. No.394 of 2022 on the file of the respondent herein.

2. The petitioner who is the *de facto* complainant had given a compliant on 13.07.2022 on certain allegations against the named accused and on the basis of which a case has been registered in Cr. No.391/2022 for the offences under Section 294(b) & 506(1) IPC.

3. The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the necessity for recording statement under Section 164 Cr.P.C. will not arise in this petition since the petitioners are not facing any threat or subjected to any violence.

4. Considering the facts and circumstances of the case, the prayer sought for the petitioner cannot be granted. However, it is open to the



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petitioners to give appropriate representation to the respondent police and on receipt of the same, the respondent shall consider the same and do the needful in accordance with law.

5. In view of the above observation, this Criminal Original Petition is disposed.

23.11.2022

Index : Yes/No
Speaking Order : Yes / No
bkn

To:

1.The Sub-Inspector of Police,
Thittagudi Police Station,
Cuddalore District.

2.The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.,

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