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Crl.O.P.No.29477 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.29477 of 2022

Asha Jyothi ... Petitioner
/vs/

The Inspector of Police,
W-28, All Women Police Station,
Villivakkam, Chennai – 600 038. ... Respondent

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the Respondent to register the FIR against the accused based on the complaint prepared by the petitioner on 10.10.2022 in C.S.R.No.430 of 2022.

For Petitioner ... Mr.C.V.Kumar
For Respondent ... Mr.S.Santhosh,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the Respondent to register the F.I.R. against the accused based on the complaint made by the petitioner on 10.10.2022.



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2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

3. The learned counsel for the petitioner submitted that the petitioner after the demise of her first husband, to take care of her two children, has married one Danduru Kiran Babu; after marriage, the said Danduri Kiran Babu has started to harass her by causing emotional violence; hence she made a complaint against him; but so far no action has been taken.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that on the complaint given by the petitioner, current paper enquiry has been initiated in C.S.R. No.430 of 2022 and the same is pending.

5. The learned counsel for the petitioner submitted that the husband of the petitioner continues to harass the petitioner and threatened her with dire consequences through phone and on his behalf some other persons



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also frequently threatened her; further the said Danduru Kiran Babu has filed a petition for Anticipatory Bail in Cr.O.P.No.25592 of 2022 and in which this Court had given the following direction on 17.11.2022:

Considering the facts and circumstances, the respondent Police has to issue notice under Section 41 (A) of Cr.P.C., to the petitioner and the petitioner is directed to appear before the respondent Police and the Investigating Officer has to conduct the enquiry by strictly following the procedures therein and if any prima facie case is made out against the petitioner, register the F.I.R. or close the petition enquiry within a period of two weeks from today. The parties are directed to cooperate with the enquiry. It is needless to say that the respondent Police shall not take any coercive steps to secure the accused till the completion of enquiry on the complaint lodged by the defacto complainant.”

6.The grievance of the petitioner now that by taking advantage of the above said order, the accused continues to harass the petitioner. In view of the above submissions made by the learned counsel appearing on either side and taking into consideration of the order of this Court dated 17.11.2022 made in 25592 of 2022, it is incumbent on the respondent



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Police to complete the enquiry in C.S.R. No.430 of 2022 in

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accordance with law as expeditiously as possible by following the directions of this Court 17.11.2022 by realising the true object of the order

7. With the above observation, this Criminal Original petition is disposed of.

30.11.2022

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order
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To

1. The Inspector of Police,
W-28, All Women Police Station,
Villivakkam, Chennai – 600 038.

2.The Public Prosecutor,

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High Court, Madras.

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