



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD) No.4347 of 2022

S.Ayisha

... Petitioner/Defacto Complainant

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police
Sivagangai District

2. The Deputy Superintendent of Police
Office of the Deputy Superintendent of Police
Devakottai Sub Division
Sivagangai District

3. The Inspector of Police
Kallal Police Station
Sivagangai.
(Crime No.9/2022)

... Respondents/Complainants

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the third respondent to withdraw the case in Crime No.9 of 2022 on the file of the third respondent and entrust the same to any one of the Inspector of Police for completing the investigation and file the charge sheet within the time stipulated by this Court.

For Petitioner	:	Mr.S.Ramesh Kumar
For Respondents	:	Mr.R.M.Anbunithi
No.1 to 3		Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to direct the third respondent to withdraw the case in Crime No.9 of 2022 on the file of the third respondent and entrust the same to any one of the Inspector of Police for completing the investigation and file the charge sheet within the time stipulated by this Court.

2.On perusal of the complaint reveals that on 17.01.2022 the accused person has driven two wheeler on the paddy kept in front of her house for drying which was harvested by her mother from the agricultural land. When it was questioned by the petitioner, the accused person has scolded her in filthy language and attacked her mother with steel chair. On receipt of the same, the third respondent registered a case in Crime No.09 of 2022 was registered for the offences under Sections 294(b), 323,324 of IPC and Section



4 of TNPHW Act. The only grievance of the petitioner is that now the third respondent is compelling the petitioner to settle the issue amicably with the accused persons. Further the petitioner has lodged complaint on 17.01.2022 itself whereas the third respondent registered the First Information Report only on 19.01.2022.

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3. On perusal of the First Information Report, it reveals that on receipt of the complaint dated 17.01.2022 the petitioner was issued with CSR No. 8 of 2022. After conducting enquiry the third respondent registered the First Information Report and absolutely there is no delay on the part of the third respondent in registering the First Information Report. Further the entire allegations are trivial in nature and the third respondent has rightly registered the First Information Report for the offences under Sections 294 (b), 323, 324 of IPC and Section 4 of TNPHW Act, therefore the prayer sought for cannot be considered.

4. In view of the same, this Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Devakottai Sub Division, Sivagangai District
3. The Inspector of Police,
Kallal Police Station,
Sivagangai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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RS (21.03.2022) 2P-5C

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