



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD).No.11233 of 2022

Jeyakumar,

... Petitioner

Vs

1. The Commissioner of Police,
Madurai District.

2. The Inspector of Police,
Koodal Pudhur Police Station,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to take appropriate action under the criminal law pursuant to the petitioner's complaint, dated 12.05.2022, in the light of the dictum laid down by the Honble Supreme Court of India in the case of Lalita Kumari Vs. Government of Uttar Pradesh and Ors. reported in (2014) 2 SCC 1 as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioner : M/s.Suriya Narayana Samy.B,
For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed in the nature of Mandamus, seeking a direction to the second respondent to take appropriate action under the criminal law pursuant to the petitioner's complaint, dated 12.05.2022.

2.The learned Counsel appearing for the petitioner submitted that the petitioner and his brother's wife, one Anusyakumari entered into a sale agreement on 28.10.2020 and she paid a sum of Rs.7,75,000/- as advance amount and promised to repay the balance amount, within a period of three months. When the balance amount was asked by the petitioner, she has not paid the same. Therefore, the petitioner decided to sell his House to some other person and returned the advance amount to his brother's wife. After that, the



petitioner's brother and the said Anusyakumari threatened the petitioner and attacked his wife. Hence, the petitioner's wife lodged a complaint and FIR has been registered in Crime No.460 of 2021, under Section 294(b), 448, 323, 324 and 506(2) and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. The accused persons obtained anticipatory bail in Crl.M.P.No.4594 of 2021 and then, the said Anusyakumari filed a civil suit in this respect, for recovery of money in O.S.No.1339 of 2021, which is still pending before the learned Principal District Judge, Madurai. Again, in pursuance of the same, the accused persons threatened the petitioner and abused him with filthy language. Hence, the petitioner lodged a complaint on 12.05.2022. Based on that complaint, CSR.No.247 of 2022 has been issued but, the respondent police has not investigated further. Hence, this petition has been filed.

3.The learned Government Advocate (Crl.Side) submitted that the petitioner's wife has lodged a complaint, based on that, the respondent police has registered an FIR in Crime No.460 of 2021. Pertaining to that case, the accused person had obtained anticipatory bail and the case is under investigation. Further he stated that again the petitioner had lodged a complaint, which is also under enquiry.

4.Considering the submissions made by both the Counsels, the second respondent is directed to consider the complaint, dated 12.05.2022, on merits and dispose of the same, within a period of three weeks from the date of receipt of a copy of the order.

5.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

To

1. The Commissioner of Police,
Madurai District.

2. The Inspector of Police,
Koodal Pudhur Police Station,
Madurai District.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.B. SURYA NARAYANA SAMY, Advocate (SR-25550[F] dated
14/06/2022)

W.P (MD) .No.11233 of 2022

10.06.2022

dks (CO)
TR(21.06.2022) 3P 5C