



Crl.O.P.(MD)No.3739 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.3739 of 2023

R.Sindhu

... Petitioner

Vs.

1.The Inspector of Police,
Marthandam All Women Police Station,
Kanyakumari District.

... 1st Respondent

2.Selvakumar

3.Selvaraj

4.Rajammal

5.Anitha

6.Kavitha

7.Subitha

8.Sagitha

... Respondents 2 to 8/
Accused 2 to 8

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent to file First



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Information Report against the respondents 2 to 8 based on the directions issued in C.M.P.No.7002 of 2022 on the file of the Judicial Magistrate No.1, Padmanabhapuram and direct the first respondent to complete the investigation within time frame as fixed by this Court in accordance with law.

For Petitioner : Mr.Raja Karthikeyan

For R1 : Mr.SS.Madhavan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the first respondent to file First Information Report against the respondents 2 to 8 based on the directions issued in C.M.P.No.7002 of 2022 on the file of the Judicial Magistrate No.1, Padmanabhapuram and further direct the first respondent to complete the investigation within time frame as fixed by this Court in accordance with law.

2. It is evident from the records that the learned Judicial Magistrate, on receipt of the complaint filed by the petitioner under Section 156(3) Cr.P.C. in C.M.P.No.7002 of 2022, directed the Inspector



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of Police, Marthandam All Women Police Station to conduct a preliminary enquiry, that upon the preliminary enquiry, if it is found that any cognizable offence is made out, to register a FIR and investigate and that in the event of the preliminary enquiry ending in closure of the complaint, a copy of the entry of such closure shall be furnished to the petitioner, within one week of such closure.

3. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the first respondent would submit that in pursuance of the directions, the first respondent has issued summons to both the parties and after their appearance, recorded their statements and on that basis, the matter was referred to Family Counseling Centre and on that basis, the complaint was ordered to be closed.

4. Considering the above it is clearly evident that the first respondent has not complied with the order of the learned Judicial Magistrate and instead, she has chosen to adopt a different course.



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5. In view of the above, the first respondent is directed to conduct an enquiry, as directed by the learned Judicial Magistrate vide order dated 18.07.2022 in C.M.P.No.7002 of 2022, within a period of 15 days from the date of receipt of a copy of this order.

6. With the above direction, this Criminal Original Petition stands disposed of.

27.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

1.The Inspector of Police,
Marthandam All Women Police Station,
Kanyakumari District.

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



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K.MURALI SHANKAR,J.

csn

Order made in
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Dated: 27.02.2023