



Crl.O.P.(MD) No.19484 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.11.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.19484 of 2023

Santhakumari

...Petitioner

Vs.

1.The Inspector of Police,
Thuckalay Police Station,
Kalkulam Taluk,
Kanyakumari District.

2.Muthukumar

...Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, directing the respondent Police to follow the Supreme Court mandate as decided in Lalithakumari's case to complete the preliminary enquiry regarding petition No.748/2023 dated 24.06.2023 of the first respondent Police as stated in the above case and on their failure to proceed by registering the case after receiving report from fire service, Thuckalay and investigate in the proper perspective and file final report before the competent Court of justice.



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For Petitioner :Mr.S.Titus

For Respondent :Mr.R.M.Anbunithi (for R1)
Additional Public Prosecutor (Crl. Side)

ORDER

This petition is filed seeking direction to the first respondent Police to complete the preliminary enquiry regarding petition No.748/2023 dated 24.06.2023 on the first respondent Police as stated in the above case and on their failure to proceed by registering the case after receiving report from fire service, Thuckalay and investigate in the proper perspective and file final report before the competent Court of justice.

2.The grievances of the petitioner is that on 24.06.2023 at about 11.00 a.m the second respondent along with 10 rowdies accompanied by an advocate said to have trespassed into the petitioner's house and caught hold his daughter-in-law and children and locked them inside the house. Thereafter, the petitioner lodged a complaint to the second respondent police. The respondent police has not taken any action, therefore this petition is filed.



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3.The learned Additional Public Prosecutor (Crl. Side) would submit that on the basis of the complaint given by the petitioner, enquiry was undertaken in C.S.R.No.748 of 2023. During the course of enquiry, it was found that the second respondent said to have trespassed into the petitioner's house and caught hold the petitioner's daughter-in-law and children and locked them inside the house. For which, the Fire service and the first respondent and others opened the seal and lock and finally rescued the petitioner's daughter-in-law and children from home. Advising the second respondent not to indulge this matter. Hence, the above said complaint has been closed.

4.Considering the serious allegations levelled against the second respondent herein, let the said C.S.R.No.748 of 2023 be reopened and conduct enquiry by the first respondent herein, by summoning the parties concerned and complete the enquiry within a period of fifteen days from the date of appearance of parties. Depending upon the outcome of the enquiry, let the parties workout their remedy through appropriate proceedings.



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Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

01.11.2023

VSG

To

1. The Inspector of Police,
Thuckalay Police Station,
Kalkulam Taluk,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

VSG

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