



Crl.O.P.(MD).No.1801 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.02.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD).No.1801 of 2024

Kuruvammal

... Petitioner

Vs.

1.The Inspector of Police,
Balamedu Police Station,
Madurai District.

2.Rasupillai

3.Muruganantham

4.Murugan

5.Chidambaram

6.Muthukumar

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the first Respondent to register an FIR on the Petitioner's complaint dated 08.01.2024 against the Respondents 2 to 6 on the basis of the order passed in Crl.M.P.No.7540 of 2023 dated 11.12.2023 by the learned Judicial Magistrate, Vadipatti, Madurai District.



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For Petitioner : Mr.R.Murugappan
For R-1 : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition seeking direction against the first Respondent to register an FIR on the Petitioner's complaint dated 08.01.2024, in the light of the order passed in Crl.M.P.No.7540 of 2023 dated 11.12.2023 by the learned Judicial Magistrate, Vadipatti, Madurai District. Though the order was passed on 11.12.2023, the first Respondent had not registered the case. Aggrieved over the same, this petition has been filed.

2. The learned Additional Public Prosecutor on instructions of the first Respondent would submit that on receipt of the order passed by the learned Judicial Magistrate, Vadipatti, Madurai District in Crl.M.P.No.7540 of 2023 dated 11.12.2023, the first Respondent had issued summons to the Petitioner herein, who is the de-facto Complainant and also the private Respondents in this case. As a complainant, the Petitioner did not co-operate with the Respondent Police. Instead he approached this Court seeking direction. The learned Additional Public Prosecutor further submitted that earlier the Petitioner had filed two more petitions in Crl.O.P.(MD).No.17985 of 2023 and this Court



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vide order dated 10.10.2023 closed the petition, stating that as the matter is civil in nature and another petition in Crl.O.P.(MD).No.21747 of 2023 and the same was dismissed by this Court vide order dated 04.12.2023, stating that the petitioner is repeatedly approaching this Court for the same relief, which cannot be entertained.

3. The learned Counsel for the Petitioner would submit that the first Respondent forced her to execute the sale deed in favour of the Respondents 2 to 6. The first Respondent should follow the circular of Director General of Police/Head of State Police Force, Tamil Nadu, violation of which will attract the disciplinary proceedings against the first Respondent.

4. Considering the submissions on either side, this Court directs the Petitioner to co-operate with the pending enquiry as per reported ruling of the Hon'ble Supreme Cour in the case of ***Lalitha Kumari Vs. State Government of Uttar Pradesh*** reported in ***2014 (2) SCC 1*** and in the case of ***Arnesh Kumar Vs State of Bihar*** reported in ***2014 (8) SCC 273***. The Respondent Police is directed to issue proper summons by specifying the date and time for appearance of the Petitioner.



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5. With the above direction, this Criminal Original Petition is disposed of.

07.02.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To

- 1.The Inspector of Police,
Balamedu Police Station,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

Nsr

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