



WEB COPY



CrI.O.P.(MD)No.4908 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.02.2024**

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

CrI.O.P.(MD) No.4908 of 2022

S.Sumathi

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul,
Dindigul District.

2.The Inspector of Police,
Erodu Police Station,
Dindigul District.
Crime No.21 of 2022.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent No.2 to further investigate and invoke necessary penal provision in Crime No.21 of 2022 on the file of the respondent No.2 Police Station.

For petitioner

: Mr.B.Senthilnathan

For Respondents

: Mr.S.Manikandan
Government Advocate
(CrI.side)



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ORDER

This Criminal Original Petition has been filed to direct the respondent No.2 to further investigate and invoke necessary penal provision in Crime No.21 of 2022 on the file of the respondent No.2 Police Station.

2. The case of the petitioner is that there was a property dispute between the petitioner and the accused persons. On 16.01.2022, the accused persons abused the petitioner and her brother and assaulted them. Therefore, the petitioner has made a complaint before the respondents Police and the case was registered in Crime No.21 of 2022 only for the offence punishable under Sections 294(b), 323, 324 and 506(2) IPC, however, the necessary provisions like Sections 147, 148, 342, 354 and 394 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, were not registered. Hence, this Petition has been filed.

3. The learned Government Advocate (Crl.side) appearing for the respondents Police submits that after registration of FIR in Crime No.21 of 2022, charge sheet has been filed before the trial Court. If at all the



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petitioner is having any grievance with regard to non-invoking of necessary provision, remedy available to the petitioner is to file a private complaint before the trial Court under Section 156(3) Cr.P.C or Section 200 Cr.P.C. Without exhausting the same, the petitioner has filed this Petition. Hence, he prays for dismissal of this petition.

4. Recording the submission made by the learned Government Advocate (Criminal side) appearing for the respondents Police, this Criminal Original Petition is dismissed. However, liberty is granted to the petitioner to work out her remedy in the manner known to law.

05.02.2024

Index : Yes/No

Internet : Yes/No

ssb

To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul,
Dindigul District.
- 2.The Inspector of Police,
Erodu Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI. J.

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