



W.P.(MD)No.26920 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.26920 of 2024

R.Shamuga Priya

.. Petitioner

Vs

1. The Superintendent of Police
Madurai District, Madurai
2. The Deputy Superintendent of Police
Thirumangalam, Madurai District
3. The Inspector of Police
Kallikudi Police Station
Madurai District
4. Muthuraja
Sub Inspector of Police
Kallikkudi Police Station
Madurai District

5. Senthilkumar

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to take necessary action against the 4th respondent, for non-registration of FIR on



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petitioner's complaint in view of representation dated 18.10.2024, within the stipulated time.

For Petitioner	: Mr.M.Jothi Basu
For Respondent No.1 to 3	: Mr.A.Thiruvadikumar Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the first respondent to take necessary action against the fourth respondent, for non-registration of FIR on petitioner's complaint in view of representation dated 18.10.2024.

2. The petitioner is the Assistant in the Panchayat Union Office, Virudhunagar District and her husband is an Ex-service man and living with her family. During her younger age she had developed some relationship with the fifth respondent who was conductor in the bus and at that time they have taken photos. The fifth respondent taking advantage of the photos now threatening the petitioner that the same would be posted in the social media and if he posted the same, it will affect her marriage life and also tarnish her image in the work place and



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he has also been demanding money. The petitioner has started to pay some amount to the fifth respondent. Later the fifth respondent had gone beyond and started abusing and threatening the petitioner. Thereafter on 27.09.2023 at about 03.30 hrs the fifth respondent trespassed into the house pushed down the father and mother of the petitioner and also threatened the petitioner showing knife. Later the petitioner had informed her husband . The police attached to the Kallikudi Police Station came and brought the fifth respondent to the police station and on 22.09.2024 received petitioner's complaint and CSR No.416 of 2024 assigned Thereafter too no action has been taken. The petitioner sent representation dated 23.09.2024 and appeared before the third respondent for enquiry and on 18.10.2024. Since no First Information Report has been registered despite cognizable offence is made out on the petitioner's complaint the above petition has been filed. Further referring to the complaint dated 18.10.2024 submitted that she has narrated the sequence from 21.09.2024 , threat offered and the stalking of the fifth respondent.



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3.The learned Additional Public Prosecutor submitted that on the petitioner's complaint First Information Report has been registered in Crime No. 232 of 2024 for the offences under Sections 296(b),329(3), 115(2), 351(2)of BNS and Section 4 of TNPHW Act. The fifth respondent was arrested and later let on station bail.

4.The petitioner's primary grievance has been addressed. With regard to the allegations against the fourth respondent it is for the petitioner to approach the higher authorities or Director of Vigilance and Anti Corruption for the corruption charges against the fourth respondent of which portion of the complaint has not been registered in the First Information Report. It is for the petitioner to seek his recourse.

5. It is seen that on complaint of the petitioner First Information Report has been registered for the offences under Sections 296(b), 329(3),115(2), 351(2)of BNS and Section 4 of TNPHW Act with regard to the cognizable offences. As regards the complaint on the fifth respondent, if he is advised, he can further pursue with the allegation of



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corruption against fifth respondent in the manner known to law before the appropriate forum. Since there is some allegations against the fourth respondent, the Station House Officer of the concerned police to keep him away from the investigation in the above case.

6. With the above direction the Writ Petition stands disposed of.

No costs.

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Index: Yes/No

Internet : Yes/No

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To

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Madurai District, Madurai
2. The Deputy Superintendent of Police
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3. The Inspector of Police
Kallikudi Police Station
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4. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.



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M.NIRMAL KUMAR, J.

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