



Crl.O.P.No.358 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.358 of 2025

Valli

... Petitioner

Vs

State represented by

1. The Superintendent of Police,
Salem,
Salem District.

2. The Inspector of Police,
All Women Police Station,
Attur Taluk,
Salem District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 482 of Cr.P.C, to direct the second respondent herein to register FIR based on the Order dated 16.07.2024 made in Crl.M.P.No.965 of 2024, on the file of the Learned Judicial Magistrate No.2, Attur.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents : Mr.R.Vinothraja
Government Advocate (Crl.side)



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ORDER

This Criminal Original Petition has been filed for direction directing the second respondent herein to register FIR based on the Order dated 16.07.2024 made in Crl.M.P.No.965 of 2024, on the file of the Learned Judicial Magistrate No.2, Attur.

2. Heard the learned counsel on either side and perused the materials placed on record.

3. The petitioner lodged a complaint as against her husband before the second respondent. However, no action has been taken and as such, he was constrained to file a petition under Section 156(3) of Cr.P.C in Crl.M.P.No.965 of 2024. The learned Magistrate directed the second respondent to conduct an enquiry and submit a report. However, the second respondent failed to submit a report and as such, the petitioner was directed to take a proper action as directed by this Court in the case reported in **2016 (5) CTC 577, in Sugeshan Transport Private limited Vs The Inspector of Police.**



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4. However, on instructions, the learned Government Advocate (Crl.side) would submit that as directed by the learned Judicial Magistrate, a detailed enquiry was conducted and submitted a report.

5. A perusal of the said report revealed that the petitioner is living with other person and her husband is living with another person. The allegation made against him is not substantiated by any material. Now, the petitioner claims to be the wife of one Nallusamy, who had retired from service of TNEB and in order to share his retirement benefits. Therefore, the complaint lodged by the petitioner was closed.

6. In view of the above, the direction sought for in this petition cannot be considered. Accordingly, this Criminal Original Petition is dismissed.

04.02.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn



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G.K.ILANTHIRAIYAN. J.

mn

To

1. The Superintendent of Police,
Salem,
Salem District.
2. The Inspector of Police,
All Women Police Station,
Attur Taluk,
Salem District.
3. The Public Prosecutor,
High Court, Madras.

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