



W.P.Crl.(MD)No.139 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.Crl.(MD)No.139 of 2025

R.Theivanai

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Trichy.

2.The Inspector of Police,
Kollidam Police Station,
Trichy District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, seeking for the issuance of Writ of Mandamus, to direct the second respondent to conduct the enquiry on the petitioner's complaint lodged before the second respondent as per the Lalitha Kumari dictum by considering the representation dated 03.04.2025.

For Petitioner : Mr.SMA.Jinnah

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.



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ORDER

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The petitioner has filed this petition that she has been assaulted by her neighbours on 30.03.2025, due to which, she suffered injuries and she was also taken to the Government Hospital, Trichy and taken treatment as inpatient for three days. The petitioner's son lodged a complaint before the second respondent. However, no case was registered by the Police and therefore, the petitioner filed the present petition.

2.The learned Additional Public Prosecutor appearing for the respondent submits that the petitioner's son has lodged a complaint on 31.03.2025 and the same has been treated as petition enquiry in CSR.No.202 of 2025. Similarly, rival group has also lodged a complaint as against the petitioner and her son and the same was also treated as petition enquiry in CSR.No.203 of 2025. Since it is simple scuffle between the parties while constructing a compound wall, they have not registered any case, in view of the provisions under Section



33 BNS.

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3.This Court has considered the submissions made on either side and perused the materials available in the record.

4.The petitioner, who is an aged woman, claims that she has been assaulted and taken treatment as inpatient for three days in Government Hospital, Trichy. The petitioner's son has also lodged a complaint. It is the responsibility of the second respondent Police to register a case and they are not supposed to rely on Section 33 BNS, even at the stage of investigation. In the event, if there is any counter complaint, then the second respondent Police has to find out who is aggressor, register a case as against them and proceed in accordance with law. Accordingly, this writ petition is disposed of. No costs.

12.06.2025

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

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To

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



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B.PUGALENDHI, J.

gns

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