

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.914 of 2016

M.Anjalatchi

... Petitioner

Vs

The Assistant Inspector of Police,
Lawspet Police Station,
Lawspet,
Pondicherry.

.... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register the case on the basis of the complaint dated 05.01.2016 given by the petitioner and investigate the matter in accordance with law.

For Petitioner : Mr.M.Machavatharan

For Respondent : Mr.V.Balamurugane
Additional Public Prosecutor
[Pondicherry]

ORDER

The present criminal original petition has been filed to direct the respondent to register the case on the basis of the complaint dated 05.01.2016 given by the petitioner and investigate the matter in accordance with law.

2. In the petition, it has been stated that the petitioner's husband Murugan has passed away and she is living with her two daughters and mother-in-law at No.10, Gangai Amman Koil Street. The petitioner used to fulfil their daily needs by the widower pension money given by the Government and her relatives also used to help for their livelihood. On knowing all the facts, one Kaliyaperumal, who is the neighbour of the petitioner, used to pick up quarrel with the petitioner and abused the petitioner and her mother-in-law with filthy language. While so, on 04.01.2016 at about 5.30 p.m., while the petitioner was sweeping in front of her house, the said Kaliyaperumal was standing there and making gesture with bad motive towards the petitioner. Therefore, the petitioner warned

him. Enraged over the same, the said Kaliyaperumal abused the petitioner with filthy language and tried to misbehave with the petitioner. Hence, the petitioner gave a complaint on 05.01.2016. But, till date no action was taken on the said complaint. Hence, the petitioner has come forward with the present criminal original petition.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. The learned Additional Public Prosecutor submitted that the complaint was sent only by post and if the petitioner gives a fresh complaint, necessary action will be taken.

5. In view of the submissions made on either side, this Court directs the petitioner to give a fresh complaint along with the copy of this order before the respondent police within a period of one week from the date of receipt of a copy of this order, and on receipt of the same, the respondent is directed to conduct enquiry and dispose the same in accordance with law, as early as possible. If no prima facie case is made out for registering the case, the respondent is directed to pass an appropriate order on the complaint of the petitioner.

6. This criminal original petition is disposed of accordingly.

vsm

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Assistant Inspector of Police,
Lawspet Police Station,
Lawspet,
Pondicherry.
2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.M.Machavatharan, Advocate SR 6566

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