

Kamala Vs. The Superintendent of Police, Madurai District and Another

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Court : Chennai Madurai

Decided On : Mar-02-2016

Judge : P.N. Prakash

Appeal No. : Crl.O.P.(MD) No. 3433 of 2016

Appellant : Kamala

Respondent : The Superintendent of Police, Madurai District and Another

Judgement :

(Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent to register an FIR on the basis of the complaint preferred by the petitioner dated 16.02.2016 in accordance with law.)

1. This petition has been filed to direct the 2nd respondent to register an FIR on the basis of the complaint preferred by the petitioner dated 16.02.2016 in accordance with law.

2. When the matter was taken up for hearing, learned Government Advocate (Crl.Side) would submit that on the complaint given by this petitioner, initially, a case in Crime No.59 of 2015 under Section 498(A) IPC was registered against this petitioner's husband. Thereafter, since the parties have arrived at a compromise, action was dropped in Crime No.59 of 2015 on 28.09.2015.

3. Learned counsel for the petitioner has submitted that the petitioner's husband sweet-talked to her and promised her that he would mend his ways, based on which, the petitioner agreed for withdrawal of the complaint. After action was dropped in Crime No.59 of 2015, the petitioner's husband once again started torturing the petitioner.

4. It is seen that the complaint dated 16.02.2016 has been sent by post to the respondents. Hence, the petitioner is directed to appear in person before the 2nd respondent along with this order and lodge a fresh complaint, containing the very same contents as stated in her complaint dated 16.02.2016. On receipt of such complaint, the same shall be enquired into and action be taken thereon in accordance with law, if it discloses the commission of a cognizable offence or drop action otherwise.

With the above direction, this Criminal Original Petition is disposed of.

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