

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.33108 of 2014

and

M.P. No.1 of 2014

A.Gandhimathi

...Petitioner

Vs.

1. The District Superintendent of Police,
Namakkal District at
Namakkal.

2. The Inspector of Police,
Mohanur Police Station
Namakkal District.

...Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., praying to direct the second respondent herein viz., the Inspector of Police, Mohanur Police Station, Namakkal District, to register a case on the complaint given by her to the second respondent herein on 17.08.2014 and by RPAD on 17.11.2014.

For Petitioners : Mr.T.Shanmugam

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed praying to direct the second respondent to register a case on the complaint given by the petitioner to the second respondent herein on 17.08.2014 and by RPAD on 17.11.2014.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. It is seen that this petitioner got married to one Subramani on 13.06.2003 and their matrimonial life ran into rough weather. On a complaint lodged by this petitioner, against her husband Subramani, her parents-in-law and other in-laws, the

respondent Police registered a case in Crime No.10 of 2004, under Sections 498(A), 406, IPC, r/w 4 of Dowry Prohibition Act on 29.12.2004. After completing the investigation, the respondent Police filed a final report in C.C.No.357 of 2007 before the learned Judicial Magistrate II, Karur.

4. In the meantime, the petitioner's husband Subramani died on 29.08.2006. During the trial in C.C. No.357 of 2007, the parents-in-law of the petitioner and other accused were convicted and sentenced to imprisonment. Aggrieved by which, they preferred Crl.A.No.40 of 2009 before the Sessions Court. The Sessions Judge, Karur, has allowed the Crl.A.No.40 of 2009 and acquitted all the accused.

4. Apart from this, the petitioner lodged a complaint against her husband Subramani and her brother-in-law Gunasekaran, before the Karur Town Police Station, which was taken on file as Crime No.171 of 2005 for the offence under Sections 294(b) and 506 (ii) IPC. The Police completed the investigation and filed a final report in C.C. No.957 of 2006 before the learned Judicial Magistrate No.I, Karur, and in the trial, Gunasekaran was also acquitted.

5. After undergoing all these travails, the petitioner's father-in-law, Nallusamy, died on 10.08.2014, which is being questioned now by the petitioner. Now the petitioner is contending that the death of Nallusamy is caused by his son Gunasekaran and therefore she wants an investigation on the death. On the face of it, it is apparent that Nallusamy was about sixty eight years old and after facing so much of prosecution, naturally his life span would have got shortened by walking continuously to the Magistrate's Court and Police Station from 2006 to 2009. This is akin to the story of the wolf crying for the sheep.

6. This Court finds that civil suits are pending between the parties and in order to stake a claim over the properties of her father-in-law, such allegations have been made by the petitioner. In the result, this petition is devoid of merits and dismissed. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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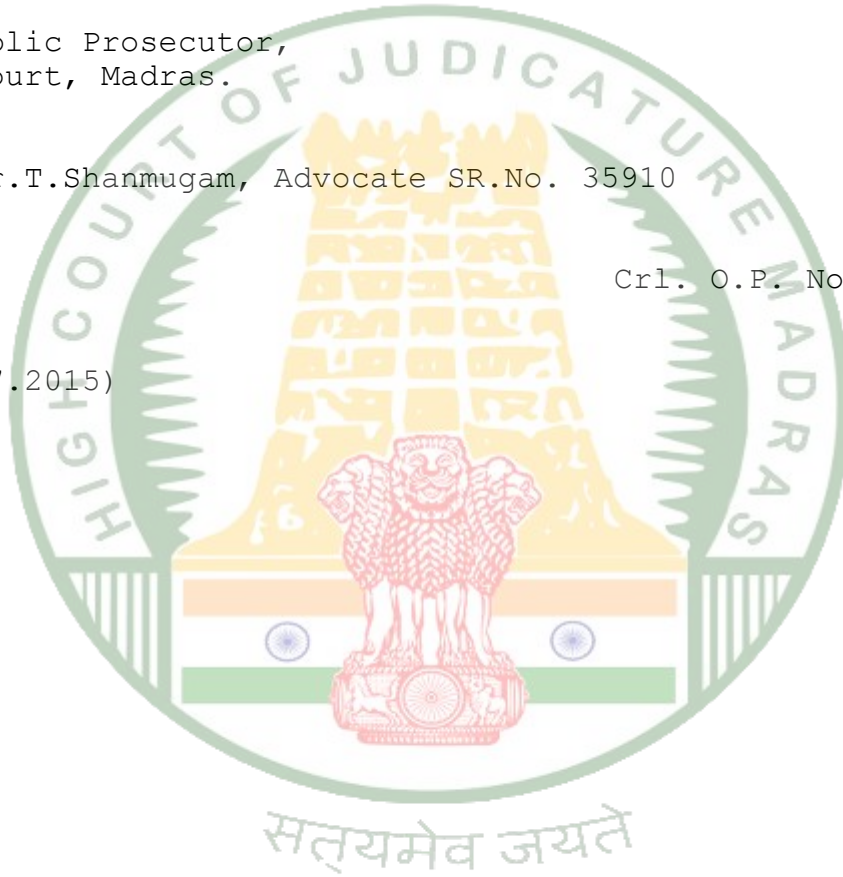
To

1. The District Superintendent of Police,
Namakkal District at
Namakkal.
2. The Inspector of Police,
Mohanur Police Station
Namakkal District.
3. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.T.Shanmugam, Advocate SR.No. 35910

CrI. O.P. No.33108 of 2014

GP (CO)
PSI (29.07.2015)



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