

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2015

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.24228 of 2015

D.Kumar

... Petitioner/Defacto
Complainant

Vs.

The Inspector of Police,
T.Palur,
Ariyalur District.

... Respondent/Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondent herein to register the complaint of the petitioner herein dated 01.08.2015 and investigate the same in accordance with law.

For Petitioner : Mr.R.Nalliyappan

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to register the complaint of the petitioner dated 01.08.2015 and investigate the same.

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

3. It is the case of the prosecution that on a complaint lodged by Arokiaraj, a teacher working in a Government School, against one Sadasivam, the respondent Police registered case in Crime No.289 of 2013 and after completing the investigation, the respondent Police filed a final report in C.C.No.18 of 2014 before the learned Judicial Magistrate, Jayankondam under Section 294(b), 353, 506(i) IPC., In that prosecution, Arokiaraj is the main witness and Karpagam, the

colleague teacher has been shown as prosecution witness no.3. The trial Court issued summons to Karpagam for giving evidence in C.C.No.18 of 2014 and after receipt of summons, she committed suicide on 01.08.2015 at her residence. This was not informed to the Police by the family members of Karpagam and therefore no FIR., under Section 174 Cr.P.C., has been registered in connection with the death of Karpagam.

4. The learned Additional Public Prosecutor submits that the body of Karpagam was cremated by the family members on 01.08.2015. Thereafter, this petitioner has lodged a complaint to the Police alleging that Karpagam committed suicide because of the harassment, she was subjected to by Paramasivam and Arokiaraj, who seems to have asked her to give false evidence in the Criminal Court.

5. In the considered opinion of this Court, no FIR., can be registered based on the complaint given by this petitioner, because it is a motivated complaint.

6. With the above observation, this Criminal Original Petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To:

1.The Inspector of Police,
T.Palur,
Ariyalur District.

2.The Public Prosecutor
High Court, Madras.

+1cc to Mr.r.Nalliyappan, Advocate SR.58998

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srg 20/11/2015

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