

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.27285 of 2015

V.Nageswari

... Petitioner

Vs

1. State rep. by
Commissioner of Police,
Commissioner of Police Office,
Vepery, Chennai - 7

2. State rep. By
Inspector of Police,
K-2 Police Station,
Ayanavaram, Chennai -23

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the first respondent to register a case on the basis of the complaint given by the petitioner dated 21.09.2015 in File No.F3/16/2015 pending on the file of the first respondent.

For Petitioner : Mr.S.Venkatesh

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking direction to the first respondent to register a case on the basis of the complaint given by the petitioner dated 21.09.2015.

2. The petitioner is living with her husband K.Varadharajan and two sons. The petitioner's father and mother, namely, Rangasamy and Sundarambal had huge extent of land and building and they died intestate in the year 2006 and 2012 respectively. On 09.09.2009, petitioner's four brothers had sold 1.85 acres of land, out of 5 acres and they promised to pay a sum of Rs.7 lakhs to the petitioner as her share. But, they have not paid the said sum to the petitioner. When the petitioner asked about the said sum, her brothers, who are working in the police department showed the pistol and

threatened her. They also threatened the petitioner and her husband to sign in the blank papers. Hence, she lodged a complaint before the respondent police on 21.09.2015. But, till date, no action has been taken on the said complaint. Hence, the present criminal original petition has been filed.

3. Today, when the matter is taken up for consideration, learned Additional Public Prosecutor submitted that on the basis of the complaint given by the petitioner, enquiry has been conducted and the same has been closed based on the reason that the dispute is between the family members and the police cannot be entered into and he has also produced the closure report for perusal of this Court.

4. Since the complaint given by the petitioner was enquired into and closed, nothing survives in this petition. Therefore, the petition is dismissed and the petitioner is at liberty to work out her remedy under Section 156(3) of Cr.P.C., if she is so advised.

mrp/srn

s/d-
Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

1. State rep. by
Commissioner of Police,
Commissioner of Police Office,
Vepery, Chennai - 7

2. State rep. By
Inspector of Police,
K-2 Police Station,
Ayanavaram, Chennai -23

3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.S.Venkatesh, Advocate SR 63329

lrs(co)
prk18/12

Cr1.O.P.No.27285 of 2015