

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.28263 of 2015

Suseela Velan

... Petitioner

Vs

State: Inspector of Police,
Ramanathapuram Police Station,
Coimbatore.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the respondent to register the complaint in petition No.560 of 2015 dated 09.10.2015 and proceed according to law.

For Petitioner : Mr.C.Deivasigamani

For Respondent : Mr.C.Emalias
Additional Public Prosecutor.

O R D E R

The present criminal original petition has been filed seeking a direction to the respondent to register a case based on the complaint of the petitioner dated 09.10.2015 and proceed further in accordance with law.

2. The petitioner lodged a complaint on 09.10.2015 against her daughter-in-law namely, Radhamani stating that after demise of the petitioner's husband and her son, the daughter-in-law of the petitioner had illegal relationship with one Sivagnanam and her further allegation is that the paramour of the petitioner's daughter-in-law had entered into the petitioner's house to commit adultery. On receipt of the same, C.S.R. No.560 of 2015 has been assigned and the matter is pending for enquiry. Thereafter, no action has been taken sofar. Hence, the petitioner has filed 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 allegation made in the complaint did not constitute any cognizable offence and hence, he opposed to grant direction to the petitioner. He further submitted that on receipt of the complaint of the

petitioner dated 09.10.2015, C.S.R.No.560 of 2015 has been assigned and the matter is pending for enquiry.

5. In view of the submissions made by the petitioner as well as the Additional Public Prosecutor, this Court directs the respondent to conduct enquiry on the complaint of the petitioner dated 09.10.2015 in C.S.R.No.560 of 2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the respondent is directed to proceed further in accordance with law, as early as possible. If no prima facie case is made out to register the complaint, the respondent is directed to pass an appropriate order on the said complaint.

6. This criminal original petition is disposed of accordingly.
vs/ari

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector of Police,
Ramanathapuram Police Station,
Coimbatore.
2. The Public Prosecutor,
High Court, Madras.

+1 C.C. To MR.C.Deivasigamani, Advocate in SR.NO.64159

सत्यमेव जयते

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TM(CO)

sd : 28/12/2015

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