

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-02-2015

Coram

THE HONOURABLE MR. JUSTICE R.S. RAMANATHAN

Crl.O.P. No. 3190 of 2015

M.A. Panchatcharam & N. Dhanalakshmi
both are residing at
No.21/11, New Fire Wood Bank Shall Street
Triplicane, Chennai - 600 005

... Petitioners

Versus

1. Mrs. V. Shanthi
2. The Inspector of Police
R-9, Police Station
Valasaravakkam
Chennai - 600 087

... Respondents

Criminal Original Petition filed under Section 482 of Cr.P.C.
praying to direct the second respondent to file a charge sheet
against the petitioners in Crime No. 661 of 2014 which is now pending
on the file of the second respondent.

For Petitioner : Mr. N.A. Panchatcharam
Petitioner in person

For Respondents : Mr. M. Maharaja
Additional Public Prosecutor for R2

ORDER

Heard both sides. It is seen from the records that the first
respondent herein has given a complaint to the second respondent
police against the petitioners and their son Rajesh alleging
commission of cognisable offence punishable under Sections 294 (B),
448 and 506 (i) IPC. As the second respondent did not register a
case on the basis of the complaint dated 17.04.2014, she filed Crl.OP
No. 11112 of 2014 before this Court praying for appropriate direction
to the second respondent to register a case on the basis of her
complaint dated 17.04.2014. By order dated 13.04.2014 in Crl.OP No.
11112 of 2014, this Court directed the second respondent to pursue
the complaint given by the first respondent herein and register a
case, if a cognisable offence is made out therein. Pursuant to such
direction, the second respondent has registered a case in Crime No.
661 of 2014 against the petitioners herein and their son Rajesh.

2. The grievance of the petitioners is that even though the case was registered against the petitioners at the instance of the first respondent and they were ready to face the trial in the criminal case, the second respondent police did not file a charge sheet in Crime No. 661 of 2014. Unless the charge sheet is filed, the petitioners will not be in a position to disprove the complaint given by the first respondent. Therefore, the first petitioner, who is appearing as party in person, prayed this Court to issue appropriate direction to the second respondent police to file charge sheet in Crime No. 661 of 2014 within a specified period.

3. The learned Additional Public Prosecutor appearing for the second respondent would submit that three months time shall be given to enable the second respondent to file charge sheet in Crime No. 661 of 2014 in accordance with law.

4. Having regard to the aforesaid submission of the learned Additional Public Prosecutor for the second respondent police, there will be a direction to the second respondent police to file a charge sheet in Crime No. 661 of 2014 within a period of three months from the date of receipt of a copy of this order.

5. The Criminal Original Petition is disposed of accordingly. No costs.

rsh

s/d-
Assistant Registrar(R)
Dt:5/3/2015

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police
R-9, Police Station
Valasaravakkam
Chennai - 600 087

2. The Public Prosecutor,
High Court, Madras.

rsi(co)
prk9/3

Cr1.OP No. 3190 of 2015