

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2015

CORAM

The Hon'ble Mr. Justice R.S.Ramanathan

Crl.O.P.No.810 of 2015

Mrs.Sumangala Devi

... Petitioner

vs.

State rep by The Inspector of Police,
M7- Manali New Town Police Station,
Manali, Chennai 600 103.

... Respondent

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to direct the respondent to register the complaint given by the petitioner on 06.12.2004 against Ms.Yamuna Thamarai Selvi.

For Petitioner : Mr.N.Moorthi

For Respondent : Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

This petition has been filed under Section 482 of Criminal Procedure Code seeking direction to the respondent to register the complaint given by the petitioner on 06.12.2004 against Ms.Yamuna Thamarai Selvi.

2. It is submitted by the learned Additional Public Prosecutor that though no person has been named in the complaint given by the petitioner, enquiry was conducted and one Yamua Thamarai Selvi, claimed to be the first wife of Viswanathan, appeared for enquiry and gave statement that she is residing at Door No.121, Manali New Town, Chennai-103 along with her husband and children and she has not committed any offence as alleged in the complaint and the petitioner is not residing in the said house. She also produced the marriage invitation between herself and Viswanathan and on the basis of the enquiry, the complaint was closed.

3. It is submitted by the learned counsel for the petitioner that the petitioner is the legally wedded wife of Viswanathan and she was residing in the said address with her husband and somebody entered into her house, broke open the lock and had removed the valuable items.

4. As rightly submitted by the learned Additional Public Prosecutor, in the complaint the petitioner has not named any person. However, one Yamuna Thamarai Selvi, claimed to be the first wife of Viswanathan, gave a statement that she was the legally wedded wife of Viswanathan and she was residing in the said house and therefore, it appears that there is dispute between two wives and admittedly the husband Viswanathan has not given any complaint against Yamuna Thamarai Selvi. Hence, the respondent police has rightly closed the enquiry. Therefore, there is no need to pass any further order in this petition.

4. Hence, this Criminal Original Petition is dismissed.

Sd/-

Asst. Registrar

/true copy/

Sub Asst. Registrar.

Jvm

To

1. The Inspector of Police,
M7- Manali New Town Police Station,
Manali, Chennai 600 103

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Moorthi, Advocate, S.R.No.10310

RV(CO)
CA(05/03/2015)

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