

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.9349 of 2015

MRS.ANTHONY MARY

PETITIONER/DEFACTO COMPLAINANT

Vs

1 THE SUPERINTENDENT OF POLICE
VELLORE DISTRICT COLLECTRATE COMPLEX
VELLORE DISTRICT CHENNAI.

2 THE INSPECTOR OF POLICE
ARAKKONAM POLICE STATION ARAKKONAM
VELLORE DISTRICT

[RESPONDENTS/COMPLAINANT]

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police herein to register the petitioner complaint dated 07/11/2014 vide P.No.2/SPG/SB/2014 dated 07/11/2014.

For Petitioner :Mr.C.D.Johnson

For Respondents :Mr.C.Emalias,

Additional Public Prosecutor

ORDER

Seeking a direction to the respondent police to register the complaint of the petitioner dated 07.11.2014, she has come up with this petition.

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

3. On a reading of the complaint, it is seen that the petitioner's father, mother and sisters appear to have executed a Power of Attorney in the year 1994 and registered the same as Document No.1452 of 1994, on the strength of which, the property has been sold in the year 2007 and subsequently. The father of the petitioner died on 19.07.2000. Now, the petitioner is alleging that she also has a share in the property and that she has been deliberately excluded by her sisters from the Power of Attorney.

4. It is the not the case of the petitioner that she has been impersonated and the signature has been forged. For a transaction of the year 1994, the complaint is being lodged in 2015, especially after the death of the petitioner's father in the year 2000. Hence, a positive direction cannot be issued to the police to register a case, as the compliant does not disclose any cognizable offence is made out. Hence, this Criminal Original Petition is closed with liberty to the petitioner to work out her remedy in the manner known to law.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1 THE SUPERINTENDENT OF POLICE
VELLORE DISTRICT COLLECTRATE COMPLEX
VELLORE DISTRICT CHENNAI.

2 THE INSPECTOR OF POLICE
ARAKKONAM POLICE STATION ARAKKONAM
VELLORE DISTRICT

3. THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS

rsi (CO)
EU 13.05.2015

Cr1.OP No.9349 of 2015

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