



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2015

CORAM

THE HONOURABLE MRS.JUSTICE S.VIMALA

Crl.O.P. (MD) No.18957 of 2015

A.Saraswathiammal

.. Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Atchan Pudur Police Station,
Tirunelveli District.

.. Respondent

Petition filed under Section 482 of Code of Criminal Procedure to direct the second respondent to register a case against the proposed accused namely A.Ramar on the basis of the complaint given by the petitioner dated 14.09.2015.

For Petitioner : Mr.S.M.A.Jinnah
For Respondents : Mr.P.Kandasamy
Government Advocate (Crl.Side)

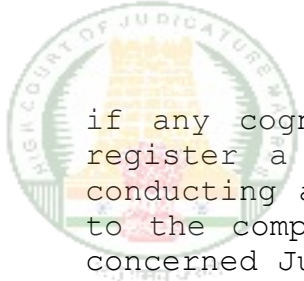
ORDER

This petition has been filed seeking a direction to the second respondent to register a case against the proposed accused namely A.Ramar on the basis of the complaint given by the petitioner, dated 14.09.2015.

2.It is the complaint dated 01.07.2012 and it was again re-sent on 14.09.2015 seeking direction against his son, who is stated to have cheated the father by manipulating LIC policy.

3.According to the learned Government Advocate (Crl.Side), petition enquiry is pending.

4.As per the judgment of the Hon'ble Supreme Court in *Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)]*, the respondent concerned may conduct a preliminary enquiry which shall not extend beyond a period of seven days from the date of receipt of a copy of this order. In conducting the preliminary enquiry, they shall put the concerned parties upon notice and follow the dictum laid down in *D.K.Basu Vs. State of West Bengal* reported in AIR (1997) SC 610. At the end of the enquiry,



if any cognizable offence is made out, the concerned respondent shall register a case. In the event of effecting closure of the case upon conducting a petition enquiry, intimation regarding closure shall be sent to the complainant. It is left open to the petitioner to approach the concerned Judicial Magistrate in accordance with law, if he is aggrieved.

5. The Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(Writ)

/TURE COPY/

Sub Assistant Registrar

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To

- 1.The Superintendent of Police,
O/o.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Inspector of Police,
Atchan Pudur Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to MR.S.M.A.JINNAH , ADVOCATE, SR NO: 58558

JAM /15.10.2015/AAL-MPA/ 2P-5C

Cr1.O.P. (MD) No.18957 of 2015

01.10.2015