

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.106 of 2016

Tmt. Veeramal

..Petitioner

Vs

1.The Commissioner of Police,
Greater Coimbatore,
Coimbatore.

2.The Assistant Commissioner of Police,
Greater Coimbatore,
Coimbatore.

3.The Inspector of Police,
C3, Saibaba Colony Police Station,
Coimbatore.

..Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.
seeking a direction to the respondents to register a case on the
basis of petitioner's complaint dated 03.12.2015.

For Petitioner : Mr.B.Nambiselvan

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed seeking a
direction to the respondents to register a case on the basis of
petitioner's complaint dated 03.12.2015.

2. The case of the petitioner is that she is the owner of the
building, which consists of a residential house and a shop. The
house was rented out to one Sangeetha @ Thirunangai and the shop was
rented out to one Gowri Shankar. The petitioner had three sons and
two daughters, who were married and they were living separately and
the petitioner is living separately with the rental income received
from the above said two persons. That being so, on 03.12.2015, when
the petitioner went to the house of the said Sangeetha @ Thirunangai
and demanded for the rental amount for the month of December, 2015
including the arrears amount, the said Sangeetha instead of making
payment of rental amount to the petitioner, abused the petitioner,
attacked her with a wooden log, hit the petitioner's head on the
wall, pushed her down and threatened her with dire consequences.
Similarly, when the petitioner went to the shop of Gowri Shankar and

demanded the rental amount, the said Gowri Shankar also abused the petitioner and threatened her with dire consequences. Hence, the petitioner lodged a complaint before the first respondent-police and the same was forwarded to the third respondent-police. But, till date no action has been taken. Hence, the petitioner has come forward with the present criminal original petition.

3.The learned Additional Public Prosecutor has vehemently opposed to grant a direction stating that there is a dispute between the petitioner and the counter petitioners with regard to payment of rental amount and the petitioner has given a criminal colour to the complaint by introducing the allegation of being assaulted and threatened. He further submitted that on receipt of the complaint of the petitioner, C.S.R.No.555 of 2015 has been assigned and the matter is pending for enquiry. But, the learned counsel for the petitioner denies the same and thus sought for a direction.

4.In view of the submissions made by the petitioner as well as the Additional Public Prosecutor, this Court directs the 3rd respondent to conduct enquiry based on the complaint of the petitioner dated 03.12.2015 in C.S.R.No.555 of 2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the 3rd respondent is directed to proceed further in accordance with law, as early as possible. During the course of enquiry, the 3rd respondent comes to the conclusion that the matter is purely civil in nature, he may pass an appropriate order in accordance with law.

5.This criminal original petition is disposed of accordingly.

-sd/-
ASSISTANT REGISTRAR

/ TRUE COPY /

Sub-Assistant Registrar

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To

1.The Commissioner of Police,
Greater Coimbatore,
Coimbatore.

2.The Assistant Commissioner of Police,
Greater Coimbatore,
Coimbatore.

3.The Inspector of Police,
C3, Saibaba Colony Police Station,
Coimbatore.

4.The Public Prosecutor,
High Court, Madras.

+1 cc to MR.NAMBISELVAN Advocate SR.NO. 1520/16.

Cr1.O.P.No.106 of 2016

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RD 28/1/2016



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