

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.24014 of 2015
and M.P.No.1 of 2015

K.Buvaneshwari ... Petitioner

Vs

State rep.by its

1.The Inspector General of Police,
District Crime Branch North Zone,
Chennai.

2.The Superintendent of Police,
District Crime Branch,
Kancheepuram District.

...Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd respondent to register the basic complaint dated 30.04.2015.

For Petitioner :Ms.K.Gajalakshmi
for Ms.K.Buvaneshwari
Party in person

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

ORDER

This Criminal Original Petition has been filed seeking for a direction to the 2nd respondent to register the complaint dated 30.04.2015, given by the petitioner.

2. Heard Ms.K.Gajalakshmi, Party-in-Person who appeared for her mother Mrs.K.Buvaneshwari (petitioner herein) and Mr.C.Emalias, the learned Additional Public Prosecutor for the respondents.

3. When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that on the complaint dated 30.04.2015, petition enquiry was conducted and the same was closed on 20.05.2015, on the ground that there is no truth in the complaint given by the petitioner. A copy of the closure report is furnished to Ms.K.Gajalakshmi, Party-in-Person who appeared for her mother Mrs.K.Buvaneshwari.

4. On a reading of the complaint dated 30.04.2015, it is seen that Buvaneshwari had launched a prosecution in C.C.No.197 of 2011 against Ramadoss and Muthukumarasamy, on the allegation that they had created a false document No.104 of 2010. Ramadoss and Muthukumarasamy filed Crl.OP.No.12626 of 2014, for quashing the prosecution in C.C.No.197 of 2011. When the matter came up before this Court (Mr.Justice R.S.Ramathan), the counsel for Ramadoss has made a representation that they are willing to cancel the document No.104 of 2010, and to hand-over the documents to Buvaneshwari. This undertaking has been recorded by this Court vide order dated 05.03.2015. Pursuant to that Ramadoss and Muthukumarasamy have also executed a cancellation deed No.2275 of 2015 dated 16.03.2015, and a copy of it was furnished to Buvaneshwari and Gajalakshmi.

5. Now it is the contention of Buvaneshwari and Gajalakshmi that the document is also a false document on the ground that the signature of the Registrar differs. This Court is unable to countenance submissions. If Buvaneshwari and Gayalakshmi are not satisfied with the cancellation, they can proceed with C.C.No.197 of 2011 and second complaint making such trivial allegation cannot be sustained. However, the Police have also conducted and closed the petition.

6. Hence, no positive direction can be issued to the respondent-Police to conduct the investigation on the complaint dated 30.04.2015, as the complaint does not inspire the confidence of this Court.

With the above observation, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

ds

To

- 1.The Inspector General of Police,
District Crime Branch North Zone,
Chennai.
- 2.The Superintendent of Police,
District Crime Branch,
Kancheepuram District.
- 3.The Public Prosecutor,
High Court, Chennai.

+ 1 cc to M/s. K. Gajalakshmi, Advocate SR.46311

Crl.OP.No.24014 of 2015and M.P.No.1 of 2015

MP(CO)

EU 1 09 16