

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.16420 of 2016

United India Insurance Co.Ltd.,
Represented by its Deputy Manager
Mr.R.Swaminathan
Third party Hub Department
No.8, T.K.M.Complex,
Katpadi Road,
Vellore 632 004. ... Petitioner

Vs

The Superintendent of Police
CBCID
Manthoppu Street,
Thiruvannamalai
Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to investigate the complaint dated 26.02.2014 and 10.02.2016 and file the final report before the concerned Court.

For Petitioner : Mr. S.Arunkumar
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking a direction to the respondent police to investigate the complaints dated 26.02.2014 and 10.02.2016 and file a final report.

2. It is the case of the complainant / United India Insurance Co.Ltd., that a bogus Insurance claim appears to have been made in M.C.O.P.No.41 of 2010 before the Motor Accident Claims Tribunal, Thiruvannamalai, by one R.Elumalai, alleging that he met with an accident on 19.10.2009. In this regard, the complainant has sent a complaint dated 26.02.2014 by post to the Superintendent of Police, CBCID, District Crime Branch, SP Office Campus, Tiruvallur - 602 001 and thereafter, a reminder appears to have been sent on 10.02.2016 to the Superintendent of Police, CBCID, Manthoppu Street, Thiruvannamalai. After having sent these two complaints by

post, the complainant/petitioner is before this Court for a direction to the respondent police to register an FIR.

3. Under Section 154 Cr.P.C., the complainant is required to go in person and lodge a complaint before the jurisdictional police and if it is refused to be received by them, a copy should be sent by registered post to the Superintendent of Police. In this case, the official of the United India Insurance Co.Ltd., want to play safe, so that, they will not face departmental action and therefore, they have made an half-hearted approach to the respondent police for initiating prosecution. A Division Bench of this Court in W.P.No.7389 of 2005 batch, has given a direction to the Insurance Company to approach the local District Crime Branch, whenever a fake Motor Vehicle claim is made.

4. This Court is not happy with the complaints dated 26.02.2014 and 10.02.2016, given by the complainant. Complainant deals with public money and it has to act with alacrity. Under such circumstances, the complainant is directed to go in person and lodge a fresh complaint by giving full details without any reference to the previous complaints before the Inspector of Police, District Crime Branch, Thiruvannamalai and on such a complaint being given, the same shall be enquired into and action be taken in accordance with law.

In view of the same, the criminal original petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sms

To

1. The Superintendent of Police,
CBCID
Manthoppu Street,
Thiruvannamalai.
2. The Inspector of Police,
District Crime Branch,
Thiruvannamalai.

3. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.S.Arunkumar, Advocate, sr.45316

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