

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

Cr1.O.P.No.1609 of 2014

D.Chandrammal

.. Petitioner

Vs.

1. The Superintendent of Police
JP Rd. Sathuvachari,
Vellore, Tamil Nadu - 632 012.

2. The Deputy Superintendent of Police
Vaniyambadi Sub-Division,
Vellore District. .. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent to register the complaint, dated 04.11.2013 and to investigate the same as in accordance with law, expeditiously and consequently, direct the first respondent to monitor the investigation.

For Petitioner : Mr.Kaviyanathan for
M/s.Nathan Associates.

For Respondents : Mr.R.Sekar
Government Advocate (Cr1.side)
for R1 and R2

Mr.R.Shanmugam, Senior counsel
for Mr.S.V.Karthikeyan for
Intervenor

ORDER

This Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, seeking an order to direct the second respondent to register the complaint, dated 04.11.2013 and to investigate the same as in accordance with law, expeditiously and consequently, direct the first respondent to monitor the investigation.

2. Heard the learned counsel appearing for the petitioner, learned Government Advocate appearing for the respondents 1 and 2 as well as the learned Senior counsel appearing for the intervenor.

3. It is averred in the petition that the petitioner / complainant Chandrammal executed a power of attorney deed in favour of one Rama Asokan, Advocate to deal with the case with respect to her property. But the said Rama Asokan got executed a sale deed in his favour from his wife with respect to the property and thus, he cheated the petitioner. The alleged power deed is forged one. She preferred a complaint before the respondent police on 04.11.2013 and no action was initiated on the complaint. Therefore, the present petition has been filed.

4. The learned Senior counsel appearing for the intervenor (Rama Asokan) contends that there are two properties, one consisting of 1.5 acres and another consisting of 1.17 acres of land and with respect to 1.5 acres of land, the petitioner is the absolute owner of the property and with respect to the property of 1.17 acres of land, though it was originally purchased by one Deivasigamani, he executed a Will in favour of his wife, the petitioner herein and therefore, both the properties were in the hands of the petitioner at the time of executing power deed in favour of one Rama Asokan and civil dispute is pending before the Court.

5. The learned Government Advocate contends that pursuant to the direction of this Court on 31.01.2014, the matter was enquired into and the same was closed as civil in nature.

6. Considering the fact that the complaint given by the petitioner was closed as civil in nature, this Criminal Original Petition has to be closed. It is needless to say that the petitioner is at liberty to move the appropriate forum in the manner known to law against the closure report.

With the above observations, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

tsvn

To

1. The Superintendent of Police
JP Rd. Sathuvachari,
Vellore, Tamil Nadu - 632 012.

2. The Deputy Superintendent of Police
Vaniyambadi Sub-Division,
Vellore District.

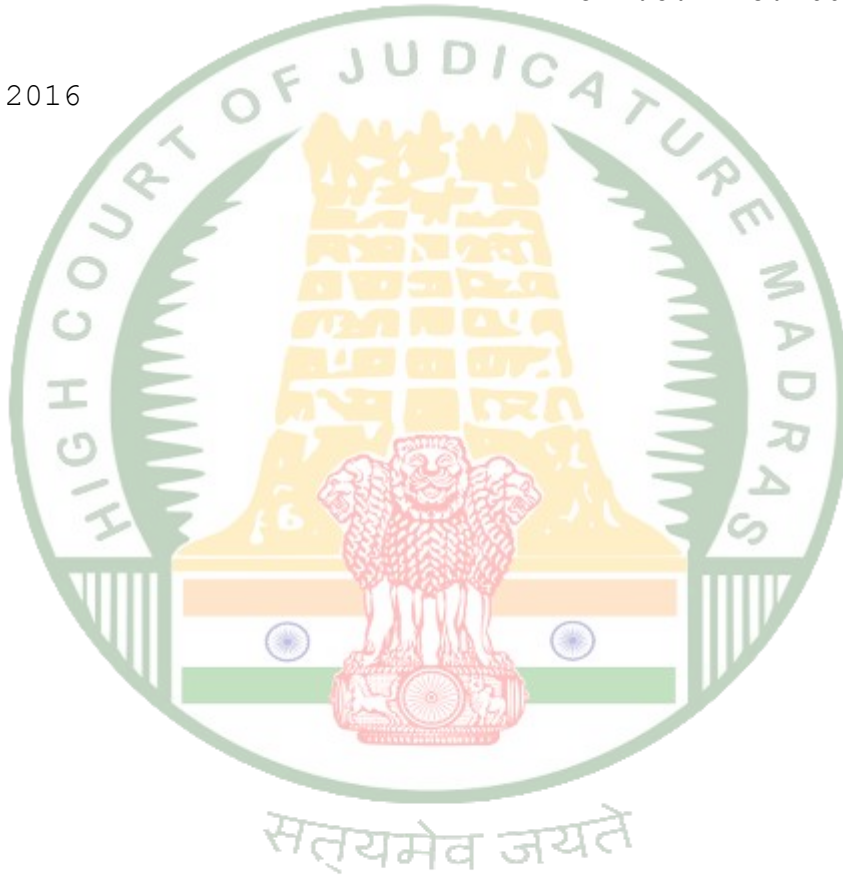
3. The Public Prosecutor
High Court of Madras.

1 cc to Mr.S.V.Karthikeyan, Advocate, sr.49941

1 cc to Mr.Nathan and Associates, sr.50465 (23.09.2016)

CrI.O.P No.1609 of 2014

cnr co
kra 16.09.2016



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