

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.20238 of 2016

Royal Sundaram Alliance Insurance Co. Ltd.
represented by V.S. Durairaj
Subramaniam Building II Floor
No.1, Club House Road
Anna Salai
Chennai 600 002

Petitioner

vs.

- 1 The Superintendent of Police
Crime Branch CID
North Zone
Chennai 600 008
- 2 The Deputy Superintendent of Police
No.77, Boopalan Street
CB-CID Vandimedu
Villupuram
- 3 The Superintendent of Police
Villupuram District
Villupuram
- 4 The Inspector of Police
Aurovil P.S.
Villupuram District 605 111
- 5 Rajaram
- 6 India Motor Parts & Accessories
represented by its Manager
III Floor, Sundaram Towers
White Road
Royapettah
Chennai 600 014

Respondents

Criminal Original Petition filed under Section 482, Cr.P.C. seeking to direct the respondents 1 and 2 to consider the complaint dated 21.06.2016

lodged with the 2nd respondent and reinvestigate the complaint registered under FIR No.128 of 2015 dated 17.03.2015 on the file of the 4th respondent as early as possible or within such time as may be fixed by this Court

For petitioner	Mr. N. Vijayaraghavan
For RR 1 to 4	Mr. C. Emalias
	Addl. Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to direct the respondents 1 and 2 to consider the complaint dated 21.06.2016 lodged with the 2nd respondent and reinvestigate the complaint registered under FIR No.128 of 2015 dated 17.03.2015 on the file of the 4th respondent as early as possible or within such time as may be fixed by this Court.

2 On 30.09.2016, this Criminal Original Petition came up for hearing along with CrI.O.P. No.18110 of 2016 and while passing separate orders in these two Criminal Original Petitions, this Court had inadvertently mixed up the facts of the two cases. This was brought to the notice of this Court by Mr.Vijayaraghavan, learned counsel for the petitioner in both the cases. Therefore, both the Criminal Original Petitions, viz., CrI.O.P. Nos.18110 of 2016 and 20238 of 2016 are listed today under the caption "for being mentioned". In view of the mixing up of the facts, the order dated 30.09.2016 passed by this Court in CrI.O.P. No.20238 of 2016 is hereby recalled and the following order is passed:

3 It is the case of the petitioner-Insurance Company that a fake insurance claim has been made by the fifth respondent. In this regard, the petitioner-Insurance Company has given a complaint dated 21.06.2016 to the second respondent for re-investigation of the case in Cr. No.128 of 2015 on the file of the fourth respondent police.

4 In matters relating to fake insurance claims, a Division Bench of this Court, in W.P. No.7389 of 2005 etc. batch, vide order dated 29.07.2010, has directed Insurance Companies aggrieved by such bogus claims, to approach the concerned District Crime Branch.

5 In view of the above, liberty is given to the petitioner to approach the concerned District Crime Branch and lodge a fresh complaint and on such complaint being lodged, the same shall be enquired into by the District Crime Branch and action taken in accordance with law.

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

15.11.2016

cad

P.N. PRAKASH, J.

cad

To

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- 3 The Superintendent of Police
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Villupuram
- 4 The Inspector of Police
Aurovil P.S.
Villupuram District 605 111
- 5 The Public Prosecutor
Madras High Court
Chennai 600 104

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