

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.09.2016

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THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL OP.No.20804 of 2016

Kamatchi

... Petitioner

Vs

1. The Inspector of Police,
Walajabad Police Station,
Kanchipuram District.

2. Amulu

...Respondents.

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to issue appropriate direction to the 1st respondent to take action against the offenders and alter suitable Section on the basis of her complaint dated 27.08.2016 made in Crime No.379 of 2016 on the file of the 1st respondent.

For Petitioner :Mr.A.Saranraj

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

ORDER

This Petition has been filed to issue appropriate direction to the 1st respondent to take action against the offenders and alter suitable Section on the basis of the petitioner's complaint dated 27.08.2016 made in Crime No.379 of 2016 on the file of the 1st respondent.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondents and perused the materials placed on record.

3. For the sake of convenience, the parties will be referred to by their name. Elumalai had a son by name Thangavelu, who died seven years back, leaving behind his widow Amulu, his parents and his one daughter, and one son. Taking pity on the family, Elumalai registered a property in favour of his grand son, which was not liked by his wife Kamatchi.

Kamatchi used to pickup quarrel with Amlu very frequently. Due to which, several complaints and counter complaints were filed before the local police. It is alleged by Kamatchi, that on 26/08/2016, when she went to Amulu's house and Amulu was doing gardening with a knife, a quarrel appears to have arisen, in which, Amulu attacked Kamatchi, resulting in injuries to Kamatchi. Based on the complaint given by Kamatchi, the respondent police have registered a case in Crime No.379 of 2016 on 27.08.2016 under Section 294(b), 324 and 506(ii) against Amulu. Not satisfied with the investigation, Kamatchi is before this Court for a direction to respondent police to alter the case into one under Section 307 IPC and arrest Amulu.

4. On a conspectus of the facts obtaining in this case, this Court finds that it is merely a dispute between the mother-in-law and daughter-in-law. There are sufficient materials to show that the mother-in-law was harrassing the widowed daughter-in-law, unable to withstand the fact that Elumalai has registered a property in the name of Amulu's son. Under such circumstances, this is not a fit case to issue the direction as prayed for by the petitioner. The petition is devoid of merits and stands dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Walajabad Police Station,
Kanchipuram District.
2. The Public Prosecutor,
High Court, Madras.

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srg 05/10/2016