

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

CrI.O.P.No.3150 of 2016

R.Geetha

... Petitioner

Vs

1.The State, represented by
The Deputy Superintendent of Police,
District Crime Branch,
Thiruvavur, Thiruvavur District.

2.The Director,
The Coimbatore Cooperative Housing
Society Ltd.,
Gopalapuram, Coimbatore-18

... Respondents

Criminal Original Petition filed under Section 482
Cr.P.C. to direct the first respondent to de-freeze the locker
bearing No.2069 of the petitioner attached to the second
respondent herein.

For Petitioner : Mr.Swami Subramanian
For respondents : Mr.C.Emalias,
Addl. Public Prosecutor

ORDER

The present criminal original petition has been filed
seeking a direction to the first respondent to de-freeze the
locker of the petitioner bearing No.2069 attached to the second
respondent herein.

2. It is the case of the petitioner that she is a
member of the second respondent society for more than 15 years
and is using their locker service in the said society from
17.2.2012. While so, her husband Vivekanandhan, who is an
Inspector of Police, attached to the first respondent police,

now under suspension, was charged for the offences under Sections 406, 414 and 420 I.P.C. in Crime No.6 of 2010 on the file of the first respondent police. During the course of investigation, the first respondent through a letter dated 16.12.2013, directed the second respondent to freeze the locker of the petitioner and to stop the petitioner from using the locker facility in the society. Hence, the petition.

3. Today, when the matter was taken up for consideration, learned counsel appearing for the petitioner submitted that the petitioner has no significance towards the criminal case filed against her husband. Further, in Crime No.6 of 2010, after completion of investigation, charge sheet was filed before the learned Judicial Magistrate No.I, Mannargudi, and the same was taken on file as C.C.No.468 of 2012. In C.C.No.468 of 2012, after completion of trial, the petitioner's husband was acquitted by judgment dated 1.9.2015. As against the judgment of acquittal, no appeal was filed by the State and thus, the said case came to an end. However, even after acquittal, the first respondent did not de-freeze the locker of the petitioner.

4. Learned Additional Public Prosecutor, on the above facts and circumstances of the case, fairly submitted that there is no impediment for the first respondent to de-freeze the locker of the petitioner. The said submission is recorded.

5. Accordingly, the first respondent is directed to de-freeze the locker of the petitioner bearing No.2069 attached to the second respondent, forthwith. The criminal original petition is ordered accordingly.

Sd/-
Asst.Registrar

/true copy/

सत्यमेव जयते
Sub Asst. Registrar

To

1.The Deputy Superintendent of Police,
District Crime Branch,
Thiruvarur, Thiruvarur District.

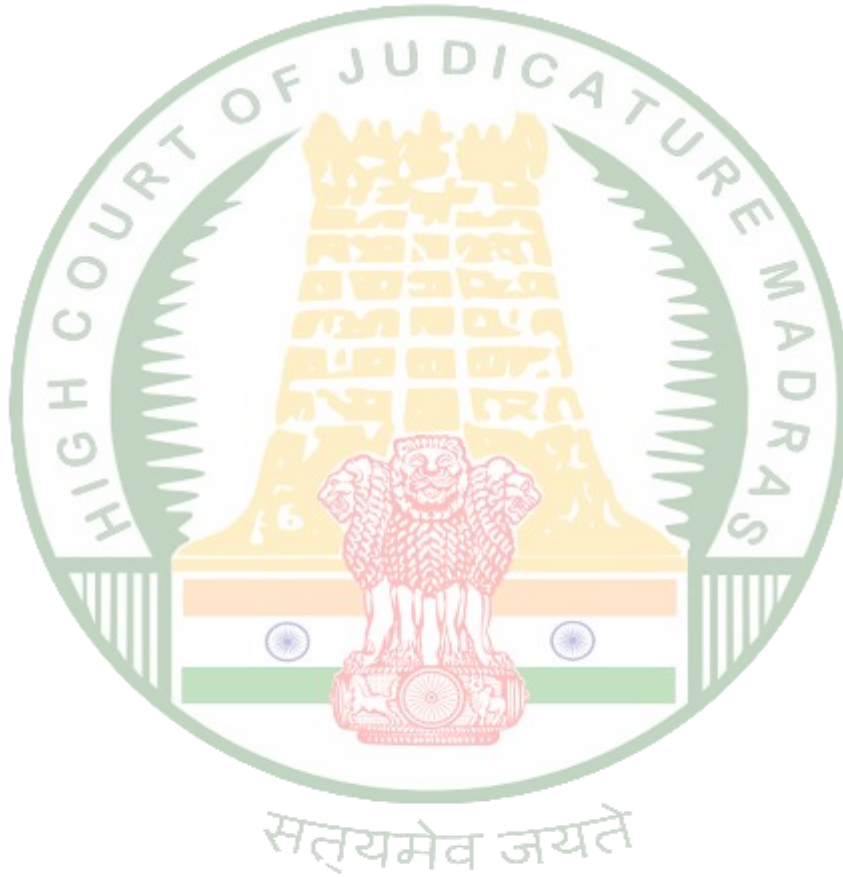
2.The Director,
The Coimbatore Cooperative Housing
Society Ltd.,
Gopalapuram, Coimbatore-18

3.The Public Prosecutor,
High Court, Madras.

+1CC Mr.Swami Subramanian, Advocate SR.74199

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sk(22/12/2016)

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