

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.710 of 2016

Victoria Aruldoss

... Petitioner

Vs

1.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-4.

2.The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai-7.

3.The Inspector of Police,
K.7 Police Station,
East Colony ICF Colony,
Chennai-38.

4.Adlin Mannah
5.Mr.Raja Pandian
6.Mrs.Raja Pandian

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondents 1 to 3 to register an FIR against respondents 4 to 6 and to investigate the same and enquire into the unnatural demise of Dr.Anil Lionel on 6.10.2015 at No.603/2, Railway Quarters,

Police Salai, Ayanavaram, Chennai-23 and file charge sheet and punish the culprit with maximum punishment.

For Petitioner : Mrs.Gladys Daniel

For respondents : Mr.C.Emalias,
Addl.Public Prosecutor,
for R.1 to R.3

ORDER

The present criminal original petition has been filed seeking a direction to the respondents 1 to 3 to register an FIR against respondents 4 to 6 and to investigate the same and enquire into the unnatural demise of Dr.Anil Lionel on 6.10.2015 at No.603/2, Railway Quarters, Police Salai, Ayanavaram, Chennai-23 and file charge sheet.

2. It is the case of the petitioner that her second son one Dr.Anil Lionel got married with one Adlin Manna, the fourth respondent herein. The fourth respondent was not affectionate with the said Dr.Anil Lionel and she was very quarrelsome and caused great mental agony and distress to him. The fourth respondent and the said Dr.Anil Lionel did not have any child. The fourth respondent was very violent in her ways. She entered into physical violence on more than one occasion with the petitioner's family. Due to various reasons, there was a disagreement between the fourth respondent and the petitioner's second son viz., Sunil Franklin and the fourth respondent physically assaulted the said Sunil Franklin and tore his shirt and broke the gold chain and also assaulted the petitioner herein. The fourth respondent was always brutal, cruel, quarrelsome and also with a violent and angry disposition. On 6.10.2015, the said Sunil Franklin was informed by the Doctors at Perambur Railway Hospital that his brother Dr.Anil Lionel committed suicide. The petitioner genuinely believes that if the fourth respondent is investigated regarding the unnatural death of Dr.Anil Lionel, the truth will come to light. The fourth respondent has already given a complaint with the second respondent police and the same was registered in Crime No.1852 of 2015. While giving complaint, the fourth respondent has clearly suppressed vital facts. It is clearly false that Dr.Anil Lionel had committed suicide. Moreover, the petitioner learnt that the knife which was allegedly used to inflict the injury by the said Dr.Anil Lionel had been removed and there was a towel around his throat. But, the fourth respondent has not mentioned anything about the same in her complaint. On the date of occurrence, i.e., on 6.10.2015, the petitioner visited the second respondent police station and tried to give a complaint as against the respondents 4 to 6. But, the second respondent police declined to receive the same. Hence, the petitioner has come up with the present petition seeking a direction to the respondents 1 to 3 to register an FIR against respondents 4 to 6 and to investigate the same and enquire into the unnatural demise of Dr.Anil Lionel.

3. Learned Additional Public Prosecutor submitted that based on the complaint given by the fourth respondent, already a case has been registered in Crime No.1852 of 2015 and the investigation is in progress. Further, he has submitted that while conducting investigation, the complaint given by the petitioner will also be investigated along with Crime No.1852 of 2015 in accordance with law. Therefore, there is no need for giving any specific direction to register the complaint of the petitioner.

4. In view of the said submission made by the learned Additional Public Prosecutor, I am of the opinion, there is no need to give any specific direction to the respondent police to register the complaint of the petitioner.

5. Hence, recording the submission made by the learned Additional Public Prosecutor that the complaint given by the petitioner will also be investigated by the respondent police along with Crime No.1852 of 2015 in accordance with law, the criminal original petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sbi

To

1.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai-4.

2.The Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai-7.

3.The Inspector of Police,
K.7 Police Station,
East Colony ICF Colony,
Chennai-38.

4.The Public Prosecutor,
High Court, Madras.

+2 CCS to M/S.C.Daniel & Gladys Daniel, Advocate (2316)

CO-PPA

ths : 28.01.2016

Cr1.O.P.No.710 of 2016