



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P.(MD) No.17015 of 2017

Balasubramaniam

... Petitioner

vs.

1.The Director of Vigilance and
Anti Corruption
Alanthur, Chennai

2.The Deputy Superintendent of Police
Vigilance and Anti Corruption
Sivagangai

... Respondents

PRAYER: Criminal original petition filed, under Section 482 Cr.P.C., to direct the respondents to register a case against the proposed accused person on the complaint made by the petitioner to the respondents dated 03.12.2017.

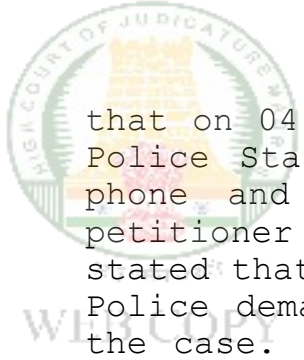
For Petitioner
For Respondents

: Mr.V.Malaiyendran
: Mr.C.Mayilvahana Rajendran
Additional Public Prosecutor

O R D E R

At the outset, this criminal original petition is not maintainable in view of the law laid down by this Court in Sugesan Transport Pvt., Ltd., represented by its Director Rajendra Sheth No.7C, Second Canal Cross Road, Gandhi Nagar, Adyar, Chennai-600 020 vs. The Assistant Commissioner of Police, J-2, Adyar Police Station, Adyar, Chennai-600 020 and another, reported in 2016 (2) CTC 286.

2. On a reading of the complaint, dated 03.12.2017, it is seen that one Rajathi, aged about 54 years, went missing and her husband Selvaraj gave a complaint to the Inspector of Police, All Women Police Station, Devakottai and on the said complaint, a petition enquiry in C.S.R.No.200 of 2017 was registered by the Inspector of Police, All Women Police Station, Devakottai. The said Selvaraj also gave a complaint for woman missing to the Inspector of Police, Devakottai Town Police Station. On the said complaint, a case in Crime No.481 of 2017 was registered on 20.11.2017 for woman missing and investigation was in progress. Selvaraj suspected the involvement of the petitioner herein in the abduction of his wife - Rajathi. While so, Selvaraj's daughter, by name, Selvarani, filed H.C.P.(MD) No.1717 of 2017, before the Hon'ble Division Bench of this Court seeking for issuance of a writ of habeas corpus for producing her mother - Rajathi. Therefore, pressure mounted on the police to trace Rajathi. Thereafter, the Police started calling the petitioner for enquiry. While so, it is alleged by the petitioner



that on 04.11.2017, Ms.Priya Malini, Inspector of Police, All Women Police Station, Devakottai, called the petitioner over the mobile phone and asked him to come to the Police Station; that the petitioner went with a group of Advocates to the Police Station and stated that he had nothing to do with Rajathi; that the Inspector of Police demanded bribe from the petitioner for not including him in the case. However, on 24.11.2017, Rajathi was produced before the Hon'ble Division Bench of this Court and she stated that she had gone on her own volition to her friend's house and therefore, the H.C.P.(MD) No.1717 of 2017 was closed. After closure of the Habeas Corpus Petition, the petitioner has sent the present complaint, dated 03.12.2017 to the Vigilance and Anti-Corruption Department making the aforesaid allegations against Ms.Priya Malini, Inspector of Police, All Women Police Station. A reading of the complaint does not inspire the confidence of this Court for issuing direction as prayed for by the petitioner.

3. The fact remains that the petitioner has gone to the Police Station with a group of Advocates and to say that the Inspector of Police, All Women Police Station, Devakottai, had demanded bribe from the petitioner appears to be incredible. In such view of the matter, no direction as prayed for by the petitioner can be granted.

4. In the result, the criminal original petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To:

- 1.The Director of Vigilance and
Anti Corruption,
Alanthur, Chennai.
- 2.The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Sivagangai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.V.Malaiyendran, Advocate SR.No. 42795

Crl.O.P.(MD) No.17015 of 2017