



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2018

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1 OP(MD) No. 14433 of 2018

and

Cr1MP(MD) No. 6466 of 2018

S. Manickapriya

... Petitioner

Vs.

1. The State represented by
The Inspector of Police,
All Women Police Station,
Thallakulam, Madurai.

2. Pramod Vigneshwar Premnath

... Respondents

[R-2 impleaded vide order dated
27.08.2018 in Cr1 MP(MD) No. 6642
of 2018]

PRAYER:- Petition filed under Section 482 of Criminal Procedure Code, to direct the respondent Police to complete the investigation in Crime No. 39 of 2018 on the file of the respondent and lay charge sheet according to law in the interest of justice.

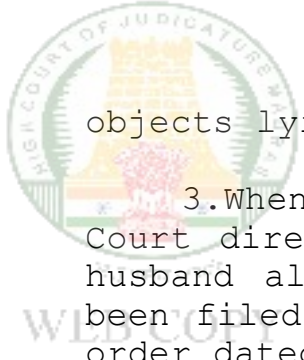
For Petitioner : Mr. V. Karthick,
Senior Counsel for
Mr. C. Muthusaravanan

For Respondent No. 1 : Mr. K. Suyambulinga Bharathi,
Government Advocate (Cr1 Side)

ORDER

This Criminal Original Petition has been filed for a direction to the respondent Police to complete the investigation in Crime No. 39 of 2018 and lay charge sheet within a reasonable time.

2. Along with Cr1OP, an interim direction has also been sought for to direct the respondent Police to seize sreedhana articles that are lying inside the locker in State Bank of India, Siruseri Branch. This interim direction petition has been filed, since State Bank of India, Siruseri has proceeded to deny access to the petitioner the locker, on the basis of the complaint given by the petitioner's husband. It is the case of the petitioner that all her sreedhana articles are lying inside the locker and since FIR in crime No. 39 of 2018 has been filed for the offence under Sections 498(A), 406 and 506(i) IPC is pending investigation, the respondent Police can open this locker and take inventory of the



objects lying inside the locker and produce before the Court.

3. When the matter came up for hearing on 13.08.2018, this Court directed the learned Counsel for petitioner to implead the husband also as a party and a petition to that effect has also been filed in CrI MP(MD) No. 6642 of 2018 and allowed vide separate order dated 27.08.2018.

4. A reading of the letter issued by State Bank of India, Siruseri Branch dated 06.08.2018 would reveal that the locker has been allotted to both the petitioner and her husband jointly on either or survivor operation basis. The access of the said locker was also given on the same basis.

5. Since the husband has given the complaint, the Bank has taken a stand that the locker will be permitted to be operated by the petitioner only in the presence of the other locker holders.

6. When the case is pending investigation before the respondent Police, a direction can be issued to the respondent Police to open locker No. 19(A) at State Bank of India, Siruseri Branch with the key available with the petitioner and take inventory of the materials that are available inside the locker. The respondent Police shall seize the materials and produce the same before the competent Court. Thereafter, it is for the petitioner to file appropriate application before the Court for the purpose of getting the articles back to her.

7. Insofar as the main prayer in the Criminal Original Petition is concerned, the learned Government Advocate (CrI Side) on instructions from the respondent Police submitted that final report would be filed in this case within a period of three months.

8. In view of the above submission, this Criminal Original Petition is disposed of with a direction to the first respondent Police to file a final report within a period of three months from the date of receipt of copy of this order. Consequently, CrI MP(MD) No. 6466 of 2018 is closed.

Sd/-

Assistant Registrar (CrI. Side)

/True Copy/

Sub Assistant Registrar (CS-II)



To

1. The Inspector of Police,
All Women Police Station,
Thallakulam, Madurai.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr. C.Muthusaravanan, Advocate SR.No.80384

Dsk

MK/SKN/SAR 2/11.09.2018/3P/4C

Cr1 OP(MD)No.14433 of 2018
and
Cr1MP(MD)No.6466 of 2018
27.08.2018