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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.07.2021

CORAM:

THE HON'BLE MR. JUSTICE M. NIRMAL KUMAR

CRL.O.P.No.10973 of 2021

Meenatchi

... Petitioner

Versus

- 1.The Director General of Police,
Mylapore,
Chennai - 600 004.
- 2.The Commissioner of Police,
Greater Chennai City Police,
Veppery,
Chennai - 600007.
- 3.The Inspector General of Police,
CBCID,
Old Commissioner Office,
Egmore, Chennai.
- 4.The Director,
Vigilance and Anti Corruption,
293, MKN road,
Alandur, Chennai - 16.
- 5.The Deputy Superintendent of Police,
Cuddalore District at Cuddalore.
- 6.The Inspector of Police,
Thirunallaru Police Station,
Karaikal District,
Puducherry Union.
- 7.The Inspector of Police,
Mayiladuthurai Police,
Mayiladuthurai District.
- 8.The Inspector of Police,
Porayar Police Station,
Nagapattinam District - 609307.

9.Mr.K.Periyanayahi

... Respondents



Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 to 4, to initiate CBCID or vigilance enquiry against the ninth respondent/Superintendent, attached with second respondent's office.

For Petitioner : Mr. M.Balaji

For Respondents: Mr.E.Raj Thilak, (for R1 to R8)
Counsel for
Government of Tamil Nadu (Crl.side)

ORDER

The petitioner filed this petition seeking a direction to direct the first and fourth respondents, to initiate CBCID and Vigilance enquiry against the ninth respondent, who is attached to the second respondent's office and pass an appropriate orders.

2.The petitioner had earlier sent a representation dated 23.03.2021. The petitioner is a secondary grade teacher. After the demise of her husband, she was threatened by some anti-social elements. Taking advantage of the same, the ninth respondent started squatting on the ancestral property of her husband at Puliyadi Street, Kattumannarkoil. Three years prior, a person claiming himself to be a person working in the O/o. Commissioner of Police, Chennai had contacted the petitioner for purchasing the property. Later, the ninth respondent/Periyanayaki, informed that the petitioner's husband had taken a loan for a sum of Rs.15 Lakhs from her. The petitioner's husband had taken loan from several other persons and the ninth respondent demanded back the amount received by the petitioner's husband, hence, the petitioner facing threat from her. One Sivasankari claiming herself as Sister of the ninth respondent had also come and threatened the petitioner that they are from the police department.

3.The petitioner had lodged a complaint against the ninth respondent on 23.03.2021, based on which, the officials conducted initial enquiry. Thereafter, the Deputy Superintendent of Police, Villupuram had conducted a detailed enquiry and found that the ninth respondent had been misusing the name of the office. Further, the ninth respondent had given several complaints against the petitioner in several districts viz., Poraiyar, Karaikal, Mayiladuthurai and various other places, finally, all these complaints have been dropped, subsequent enquiry conducted by the Deputy Superintendent of Police, Cuddalore District, who confirmed the high-handed act of the ninth respondent.



4.The learned Counsel for the Government of Tamil Nadu (Crl.side) appearing for the respondents R1 to R8 submitted that based on the complaint given by the petitioner, a case was registered in CSR.No.720 of 2020, investigation was conducted, thereafter, CSR was closed by the eighth respondent, on 22.11.2020. For the complaint against the public servant, the complaint was forwarded to the Directorate of Vigilance and Anti-Corruption, (DVAC)/fourth respondent, since the ninth respondent happens to be a public servant, enquiry conducted, and, thereafter, the complaint was closed. Now, nothing survives on the complaint dated 23.03.2021 of the petitioner.

5.In view of the same, considering the submissions made by the learned Counsel for the Government of Tamil Nadu (Crl.side) appearing for the respondents R1 to R8, nothing survives for further adjudication, in this case, hence, this petition is liable to be dismissed.

6.With the above observation, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

klt

To

1.The Director General of Police, Mylapore, Chennai - 600 004.

2.The Commissioner of Police,
Greater Chennai City Police,Veppery, Chennai - 600007.

3.The Inspector General of Police,
CBCID, Old Commissioner Office, Egmore, Chennai.

4.The Director,
Vigilance and Anti Corruption,293, MKN road, Alandur, Chennai
- 16.

5.The Deputy Superintendent of Police,Cuddalore District at
Cuddalore.

6.The Inspector of Police,
Thirunallaru Police Station, Karaikal District, Puducherry
Union.

7.The Inspector of Police,
Mayiladuthurai Police,Mayiladuthurai District.



8.The Inspector of Police,
Porayar Police Station,Nagapattinam District - 609307.

9.The Public Prosecutor,
High Court, Madras.

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SRA (CO)
B.VC (05.08.2021)