



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.5852 of 2021

T.Bharathi Priya

... Petitioner

Vs.

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.

2. The Inspector of Police,
Nesamony Police Station,
Nagercoil,
Kanyakumari District.

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to file a Final Report in Crime No.414 of 2020 on the file of the second respondent within a time fixed by this Court.

For Petitioner : Mr.S.Manoharan

For Respondents 1 & 2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed a direction to the second respondent to file a Final Report in Crime No.414 of 2020 on the file of the second respondent within a time fixed by this Court.

2. The case of the petitioner is that the petitioner got married with one Sivaprasath Manivannan on 17.09.2015 as per the customary practice of their caste. At the time of marriage, nearly 125 sovereigns of gold jewels and articles worth of 5 lakh Rupees were given to Sivaprasath Manivannan . A car was also given. Further, a sum of Rs.7,00,000/- was given as dowry as demanded by the Sivaprasath Manivannan's family. Again, a sum of Rs.3,00,000/- was given to the petitioner for upgrading the house named Siva Illam. Again, the sister of the Sivaprasath Manivannan asked for a sum of Rs.2,00,000/- and that was also given by the father of this petitioner. This petitioner was the only daughter of her father. So she gave whatever demanded by her in-laws. On 16.03.2017, a male child was born and he was named as Rithul Prasath. Then, again and again, the dowry demand increased and this petitioner was subjected to dowry harassment. Sivaprasath Manivannan and his parents left this petitioner along with her minor son in



Siva Illam and they went away to their native village Poochikadu. After going there, they tried to evict the petitioner forcibly from the Siva Illam. Then, the said Sivaprakash Manivannan filed a divorce case in I.D.O.P.No.71 of 2019 before the Family Court, Nagercoil and another suit in O.S.No.97 of 2019 to evict the petitioner from the Siva Illam. This petitioner filed a Domestic Violence case in D.V.C.No.2 of 2019 before the Magistrate Court (Mahila Court), Nagercoil. In the meantime, this Petitioner's father, Thangaraj died on 31.07.2020 due to corona. This petitioner and her family members were busy for the burial of her father. Taking advantage of her absence in the house, the said Sivaprasath Manivannan and his parents along with henchmen broke open Siva Illam in the absence of this petitioner and took away some articles belonging to this petitioner. Further, they broke down the doors and windows of the house making it impossible for the petitioner to live in the house. . The petitioner has produced the receipts for the articles of the petitioner, which were stolen from the house Siva Illam to the police, but till date, all these articles have not been recovered from the accused. This petitioner, after coming to know of this incident, immediately lodged a complaint before the Nesamony Nagar Police Station, Nagercoil and F.I.R., was registered in Crime No.414/2020 on 02.08.2020 under Section 379 of IPC against Sivaprasath Manivannan, his parents and others. But, till date no action has been taken and no property has been recovered. This petitioner had given a complaint to the Superintendent of Police, Nagercoil on.06.08.2020. But, there also, no action has been taken. The said Sivaprakash Manivannan and his family members are highly influential persons in the locality and the police have not made any progress in this case. Hence he filed the present Criminal Original Petition.

3. There is no representation for the petitioner.

4. According to the learned Public Prosecutor, the petitioner has given a complaint against her husband and in-laws, alleging that they have committed theft of various articles, based upon which, a case in Crime No.414 of 2020 was registered on 02.08.2020 under Section 379 of IPC and the investigation is almost completed.

5. Recording the submission made by the learned Public Prosecutor, the second respondent is directed to complete the investigation and file a final report within a period of three months from the date of receipt of copy of this order, orders accordingly.

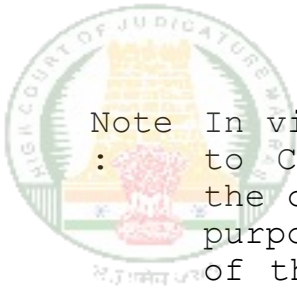
Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



WEB COPY

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Superintendent of Police,
Nagercoil,
Kanyakumari District.
2. The Inspector of Police,
Nesamony Police Station,
Nagercoil,
Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.5852 of 2021
23.04.2021

MGJ(23.07.2021) 3P 4C