



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.07.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD)No.9914 of 2021

WEB COPY

Vasantha

... Petitioner

Vs.

1.The Inspector General of Police,
Central Zone,
Thiruchirappalli District,
Thiruchirappalli.

2. The Superintendent of Police,
Thanjavour District
Thanjavour

3.The Inspector of Police,
Thanjavur Taluk Police Station,
Keelavasal,
Thanjavour District

4.Joshpin Mary

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents 1 to 3 not to harass the petitioner, her family and her sister under the guise of enquiry with regard to the demise of Annal Navamani's Jewels and land property at located in the Brinthavan, Kalimedu Village, Thanjavour Taluk, Thanjavore District based on the complaint of the petitioner, dated 01.07.2021 with due process of law.

For Petitioner

: Mr.P.Balasubramanian

For R1- R3

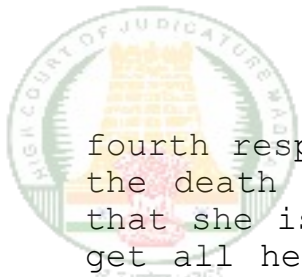
: Mr.R.M.Anbunithi

Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to the respondents 1 to 3 not to harass the petitioner, her family and her sister under the guise of enquiry on the basis of the representation dated 01.07.2021.

2. The case of the petitioner is that the petitioner's only sister and her husband lived in Thanjavur. Since they had no issues, the daughter of the petitioner namely, Josephine Mary/the fourth respondent herein was living with them. The petitioner's sister's husband died earlier. When the petitioner's sister was alive, the



fourth respondent got love marriage and went with her husband. After the death of the petitioner's sister, the fourth respondent claims that she is the adopted heir of the deceased and she is entitled to get all her properties. It is stated that after getting legal heir certificate only, anybody can claim and therefore, the fourth respondent lodged a false complaint on 23.06.2021 before Vallam All Women Police Station stating that the petitioner has tortured her with an intention to get the properties and jewels. According to the petitioner, Rs.5 lakhs was taken without the knowledge of the petitioner. Without knowing the same, the petitioner gave an undertaking before the police that they will work out their remedy before the appropriate forum. Though the fourth respondent threatened through Kattapanchayatars and village elders, she also lodged another complaint before Thanjavur Police Station on 29.06.2021. The petitioner attended an enquiry and told that they will work out their remedy before the concerned court. But, the third respondent directed the petitioner to produce all the documents and jewels before the police station. Hence, the petitioner gave a representation dated 01.07.2021 to all the official respondents herein. She sought police protection on the basis of her representation. Hence, this petition.

3. When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that the petitioner is the natural mother of the fourth respondent herein and on earlier occasion, the fourth respondent gave a complaint against the petitioner with regard to some jewels. It appears that the fourth respondent has got married to her lover. Because of the love marriage dispute between the fourth respondent and the petitioner appears to have arisen and that complaint came to be closed on 29.06.2021 in CSR No.110 of 2021. Similarly, another daughter has given a complaint against the petitioner with regard to the family jewels and the properties and CSR NO.116 of 2021 has been assigned and the same is also closed on 07.07.2021 by directing the parties to work out their remedy before the appropriate forum. Thereafter, the present complaint came to be filed and it is stated to be pending. Subsequent to that, the petitioner gave a complaint and CSR No.126 of 2021 has been assigned and the same is pending.

4. It appears that there is family dispute between the petitioner and her two daughters in respect of which repeated complaints have been given. Since it is a family dispute with regard to share of jewels and properties, the police has no say in the matter.

5. The learned Additional Public Prosecutor undertakes to instruct the Enquiry Officer not to interfere in the matter since it is civil and family dispute.



6. Recording the undertaking given by the learned Additional Public Prosecutor, this petition is disposed of, with the above direction.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

CM

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 Inspector General of Police,
Central Zone,
Thiruchirappalli District,
Thiruchirappalli.

2. The Superintendent of Police,
Thanjavour District
Thanjavour

3.The Inspector of Police,
Thanjavur Taluk Police Station,
Keelavasal,
Thanjavour District

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

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RD(3.08.2021) 3P 5C