



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.664 of 2022

Ushananthini

... Petitioner

Versus

State rep.by its
Inspector of Police
Mettur Police Station
Salem District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent Police to file a final report in Crime No.126 of 2019, pending on the file of the respondent Police.

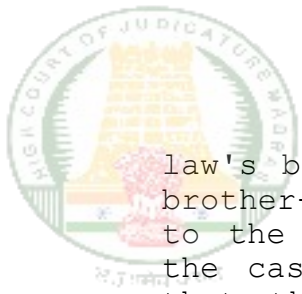
For Petitioner : Mr.Y.Deva Arul Prakash

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent Police to file a final report in Crime No.126 of 2019, pending on the file of the respondent Police.

2. The grievance of the petitioner is that the petitioner case in Crime No.126 of 2019, for the offence under Sections 174(3) of Cr.P.C., came to be registered on the complaint of the petitioner. However, no action has been taken. Further, the grievance of the petitioner is that on 28.07.2019, she called her deceased husband but he did not attend the phone call. Thereafter, she called one Balu and asked him to find out whether her husband is in the house but, the said Balu informed that he was not in station. Thereafter, she called one Palani to verify the same. The said Palani contacted the petitioner and he informed that one Rajakoti to check her husband's house and he replied that some bad smell is coming from the petitioner's husband house. Thereafter, the petitioner contacted father-in-



law's brother Joseph to take appropriate action and thereafter, brother-in-law and her wife one Malathi, who is an Advocate went to the petitioner's husband house and informed the Police and the case is kept pending. Though the petitioner is suspecting that the adopted children of the petitioner's father-in-law viz., Rajkoti, Suganya, Suganya's father-in-law Panneerselvam, Suganya's husband Mohankumar and some unknown friends are involved in the offence, the respondent Police have not taken any action. The petitioner has sent representations on 13.12.2019 and 12.10.2021, despite the same, the case is still pending for the offence under Section 174(3) of Cr.P.C.

3. The learned Additional Public Prosecutor submits that on registration of the case under Section 174(3) of Cr.P.C., the respondent Police had conducted investigation and inquest and recorded the statement of 17 witnesses and found no reason to alter the First Information Report. Hence, the case has been closed as further action dropped. Further he submits that RCS.No.14 of 2021 has been served to the petitioner.

4. This Court directs the respondent Police to once again serve the RCS notice to the petitioner and inform the petitioner's right to file a protest petition if she so desires.

5. Recording the same, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

dna

To

1.The Inspector of Police
Mettur Police Station
Salem District.

2.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.664 of 2022

PL(CO)
CB(03/02/2022)