



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.2626 of 2022

A.Poongothai

... Petitioner

Versus

State Rep. by
The Inspector of Police,
Ambur Police Station,
Thurpathur District.
(Crime No.931 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent herein to register the complaint given by the petitioner dated 03.01.2022 and take necessary action.

For Petitioner : Mr.P.Sathiyamurthy
For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent herein to register the complaint given by the petitioner dated 03.01.2022 and take necessary action.

2. The grievance of the petitioner is that her mother died on 19.09.2021 and a case in Crime No.861 of 2021 came to be registered for the offence under Section 174 of Cr.P.C., which is pending investigation. In the meanwhile, after the death of her mother one Anbu @ Arivazhagan, Vijaya Mullaikodi, Ravi, Balaji, Thenmozhi & Devaraj and some other persons threatened the petitioner to evict the house. They are visiting the house at odd hours and cut the water and electric facilities in her house. During night time, they entered the house by breaking windows and cutting the grills of the windows using cutting machine and threatened the petitioner. Thus they did not allow her to lead a peaceful life. Hence, she lodged complaints on 11.11.2021 and 03.01.2022, but no action has been taken.

3. The learned counsel for the petitioner submits that the petitioner is the adopted daughter of the deceased and the persons named in the complaint are her brothers. They had a



dispute claiming right over the property. Further, the petitioner's mother was living with good health, but died suddenly, and there is a suspicion over her death.

4. The learned Additional Public Prosecutor submits that the petitioner sent a complaint through post and the facts now disclosed by the counsel are not available there. In the complaint, it is stated that some people, using political muscle power trying to evict the petitioner from her house. But today, the learned counsel made submissions that the petitioner is an adopted daughter of the deceased and there is a dispute with the legal heirs of Govindhan and Amasaveni, which needs to be ascertained. The claims of both the petitioner and the opposite party to be examined. These facts will be ascertained, only if the petitioner appears before the respondent Police along with a copy of the complaint and other relevant documents. He further submitted that as regards the death of her mother, FIR has been registered as suspicious death and enquiry is in progress.

5. It is seen that there is a dispute between the petitioner and the counter complainant with regard to the land, and hence, the respondent Police already referred the complaint for RDO's enquiry under Section 145 of Cr.P.C.. Therefore, the petitioner is directed to appear before the RDO enquiry as regards the protection of her life and property.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

dna
To

1. The Inspector of Police,
Ambur Police Station,
Thurpathur District.

2. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.A.P.Sathiyamurthy, Advocate, S.R.No.8575

CRL.O.P.No.2626 of 2022

NRL(CO)
CT 11/02/2022