

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2022

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No.25761 of 2021

Mrs.K.Manjula

... Petitioner

Vs.

1. The Commissioner of Police,
Chennai City Police Commissionerate,
Periyar Thidal Opposite,
Vepery, Chennai - 600009.

2. The Inspector of Police,
T-2 Ambattur Estate Police Station,
Ambattur, Chennai - 600058.

... Respondents

PRAYER: Criminal Original Petition had been filed under Section 482 of Cr.P.C, praying to direct the respondents to register the case against the accused person based on the complaint of the petitioner dated 05.07.2019 in CSR No.829 of 2019.

For Petitioner : Mr. Y.Venkatesan

For Respondents : Mr.L.Baskaran

Government Advocate (Crl.Side)

ORDER

This Petition had been filed seeking direction for the Respondents to register the case against the Accused persons based on the complaint of the Petitioner dated 05.07.2019 in CSR No.829 of 2019.

2. During the lifetime of the Petitioner's son, he had subscribed to LIC Policy, wherein, the mother was a nominee. After the death of the son of the Petitioner, when the Petitioner approached the LIC, she was not having the policy. On her inquiry, she found that her daughter-in-law was having the policy. The policy shall be produced before the LIC office and to avail the claim the Petitioner's daughter-in-law was not co-operating. Suspecting the behaviour of the daughter-in-law and on further inquiry it was found that the daughter-in-law had forged the signature of the Petitioner herein and availed the LIC policy death benefits. Therefore, the Petitioner had preferred the complaint with the Respondent Police.

3. It is the grievance of the Petitioner that the Respondent did not proceed with the Registration of the Case to investigate the matter. Therefore, the Petitioner had approached this Court exercising the powers of this Court under Section 482 of Crl.P.C seeking direction to the Respondent to register a Case and investigate the matter.

4. The learned Government Advocate submits that the complaint received by the Petitioner was received as CSR and the daughter-in-law was summoned. The daughter-in-law denied saying that she had not affixed the signature in the LIC documents and therefore, the CSR was closed. The report of the second Respondent is furnished by the learned Government Advocate (Crl.side). The conduct of the second Respondent closing the complaint as CSR is found unacceptable.

5. Considering the above submissions, the first Respondent is directed to register a Case on the basis of the complaint received by the second Respondent and proceed with the investigation. With the above directions this Petition is Disposed of .

Sd/-
Assistant Registrar(CS VIII)

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Sub Assistant Registrar

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To

1. The Commissioner of Police,
Chennai City Police Commissionerate,
Periyar Thidal Opposite,
Vepery, Chennai - 600009.
2. The Inspector of Police,
T-2 Ambattur Estate Police Station,
Ambattur, Chennai - 600058.
3. The Public Prosecutor
High Court, Madras.

+1cc to Mr. Y.Venkatesan, Advocate, S.R.No.37815

Cr1.O.P.No.25761 of 2021

GPL(CO)
CT/11/07/2022