



Crl.O.P.No.17312 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17312 of 2023

Kalaivani
W/o.Ashock

... Petitioner

Vs.

1. The Inspector of Police,
All Women Police Station,
Guindy.

2. K.S.Ashok
S/o.Srinivasan

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the respondent police to recovery of the petitioner jewels and educational certificate from the second respondent and hand over to the petitioner herein based on the CSR No.105 of 2023 on the file of the respondent police herein.

For Petitioner : Mr.R.Angalaprammeswari

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor [R1]

ORDER



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WEB CODE This Criminal Original Petition has been filed seeking for a direction to the respondent police to recover the petitioner's jewels and educational certificate from the second respondent and hand over to the petitioner herein based on CSR No.105 of 2023 pending on the file of the respondent police herein.

2. Heard Mr.R.Angalaprammeswari, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of first respondent.

3. Learned Additional Public Prosecutor appearing for the first respondent submits that this is a case of matrimonial dispute and on the complaint given by the petitioner, petition enquiry is pending in CSR No.105 of 2023 on the file of the first respondent police and a final decision will be taken on the complaint given by the petitioner.

4. The first respondent is directed to conduct enquiry in keeping with the judgment of the Supreme Court of India in ***Lalitha Kumari Vs. Government of Uttar Pradesh*** reported in **2013 (6) CTC 353**, wherein the



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Supreme Court has enumerated the nature of cases where preliminary enquiry can be conducted and has also restricted the period, for which preliminary enquiry can be conducted. The first respondent is also directed to complete the enquiry and take a decision within a period of two (2) weeks from the date of receipt of a copy of this order.

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

03.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

1. The Inspector of Police,
All Women Police Station,
Guindy.

2. The Public Prosecutor
High Court of Madras,
Madras.

N.ANAND VENKATESH, J



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