



WEB COPY



Crl.R.C.No. 1630 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.R.C.No. 1630 of 2024

M.Ganesan

... Petitioner

Vs.

1. Superintendent of Police,
District Crime Branch,
Tiruvannamalai.

2. Deputy Superintendent of Police,
District Crime Branch,
Tiruvannamalai.

3. Sub Inspector of Police,
District Crime Branch,
Tiruvannamalai.

4. Ms. Gayathiri

... Respondents

PRAYER: Criminal Revision Case filed under Section 397 of Cr.P.C. r/w 438 of BNSS, to call for the records and to set aside the order passed by the learned Judicial Magistrate No.1, Tiruvannamalai in Crl. M.P.No.2469 of 2024 dated 14.06.2024.



CrI.R.C.No. 1630 of 2024

WEB COPY

For Petitioner : Mr.V.Ramamurthy

For Respondents : Mr.A.Damodaran

Addl. Public Prosecutor

ORDER

The petitioner, father of one Muralikrishnan who had committed suicide on 16.12.2021, later came to know that after the death of his son / Muralikrishnan, Muralikrishnan's wife / Gayathri have been accessing her husband's bank account in Canara Bank, Axis Bank, ICICI Bank, State Bank of India, HDFC Bank and with the Insurance Company had withdrawn the huge amount. Further, she was having access to his mobile phone, laptop and other electronic devise, using the same and having know of password, made transactions and made illegal gains and also committed theft.

2. The petitioner's wife Valli mother of Muralikrishnan, Clause-I heir was denied her insurance claims. He had given a complaint to respondent / Police who failed to take any action. Thereafter, left with no other option, filed a petition under 156(3) of Cr.P.C. The Trial Court not considering the



Crl.R.C.No. 1630 of 2024

petitioner's contention, assumed that the petitioner and the proposed accused are father-in-law and daughter-in-law governed by Hindu law and the Gayathri / wife is first cluase heir and so, the petitioner claim of transactions to be a theft is not proper.

3.The learned Public Prosecutor filed his counter submitted that on the petitioner's complaint, enquiry was conducted with both petitioner and respondent found Gayathri had received the insurance money and deposited the same in her children's name It was Muralikrishnan, her deceased husband who was in to bitcoin, gambling loss huge money and later he committed suicide. He had left his wife and children without any support. The petitioner is a retired Police personnel of CISF has been making complaint without any particulars. If the petitioner produced sufficient particulars and details the same can be considered. The Trial Court finding that the dispute between father-in-law and daughter-in-law with regard to left out of his son and submitted that the petitioner is not without any remedy, he can very well file civil suit or a private complaint.



Crl.R.C.No. 1630 of 2024

WEB COPY

4. Considering the submissions and perusal of the material record, it is seen that the details produced by the petitioner is insufficient. The petitioner as and when collects sufficient material, he can approach the lower Court, if so desires.

5. In view of the above, this Criminal Revision Case is dismissed.

04.10.2024

kkn

Internet: Yes / No

Speaking / Non-speaking order

Neutral Citation : Yes / No



Crl.R.C.No. 1630 of 2024

WEB COPY

To

1. The Judicial Magistrate No.1,
Tiruvannamalai.
2. Superintendent of Police,
District Crime Branch,
Tiruvannamalai.
3. Deputy Superintendent of Police,
District Crime Branch,
Tiruvannamalai.
4. Sub Inspector of Police,
District Crime Branch,
Tiruvannamalai.
5. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.R.C.No. 1630 of 2024

M.NIRMAL KUMAR, J.

KKN

Crl.R.C.No. 1630 of 2024

04.10.2024