



Crl.O.P.(MD)No.3018 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.02.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)No.3018 of 2024

Rajammal

... Petitioner

Vs.

State represented by
The Inspector of Police,
Bodinayakkanur,
Town Police Statin,
Theni District.
(Crime No.328 of 2023)

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Respondent to expedite the investigation in Crime No.328 of 2023 on the file of the Respondent and file final report within a time fixed by this Court.

For Petitioner : Mr.P.Senguttuarasan

For Respondent : Mr.M.Veeranthiran
Government Advocate (Criminal side)



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ORDER

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The learned Counsel for the Petitioner submitted that the Petitioner is the de-facto Complainant and she had filed this petition seeking direction against the Respondent Police to expedite the investigation in Crime No.328 of 2023 on the file of the Respondent and file the final report.

2. The learned Counsel for the Petitioner submitted that the Petitioner/de-facto Complainant had lodged a complaint with the Respondent. Based on the complaint of the Petitioner, the Respondent Police had registered a case against the accused in Crime No.328 of 2023 for the offences punishable under Sections 3(1)(r) and 3(1)(s) under the SC/ST (Prevention of Atrocities Act).

3. It is the contention of the learned Counsel for the Petitioner that the accused in this case are Bank Officials. The Respondent understood that they had dropped the investigation without serving notice on the Petitioner/de-facto Complainant herein.

4. The learned Government Advocate (Criminal side) on instructions from the Respondent Police submitted that on investigation by the



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Respondent Police, it is found that the deceased mother of the Petitioner/de-facto Complainant had deposited money in the Bank account. Therefore, the Petitioner went to the Bank to enquire into the Bank account. It is his further submission that the Petitioner did not go to the Bank on the alleged date of the occurrence. Further, the learned Government Advocate (Criminal side) submitted that the Petitioner is the adopted daughter of the deceased Veerammal. Therefore, the amount pending on the account of the deceased Veerammal was sent back to the Government by the Bank Officials. Therefore, the Investigation Officer sought opinion from the District Collector and Local Audit Firms, awaiting the same, the report is to be filed.

4. Considering the submissions of the learned Counsel for the Petitioner and the learned Government Advocate (Criminal side), the Petitioner is directed to approach the learned Sessions Judge, Special Court for Exclusive Trial of Cases under SC/ST (POA) Act or the learned Sessions Judge (PCR) Cases, Theni and file appropriate petition challenging the closure report. The Respondent is directed to serve notice of the closure report to the Petitioner/de-facto Complainant.

5. The learned Sessions Judge, Special Court for Exclusive Trial of



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Cases under SC/ST (POA) Act or the learned Sessions Judge (PCR) Cases, Theni, on filing of a closure report by the Investigation Officer shall check that the copies are served on the Petitioner/de-facto Complainant. On such filing of the closure report, if any objections filed by the Petitioner/de-facto Complainant shall be heard, an enquiry shall be conducted and pass appropriate orders.

6. With the above said direction, this Criminal Original Petition is disposed of. No costs.

29.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
jbr

To

1. The Inspector of Police,
Bodinayakkanur,
Town Police Station,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.,

jbr

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