

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.24230 of 2015

S.Kalyana Sundaram

... Petitioner

Vs

1. The District Collector,
Tiruvarur.

2. The Superintendent of Police,
Tiruvarur.

3. The Inspector of Police,
Koradacherry Police Station,
Thiruvarur District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the third respondent to register a case on the basis of the complaint filed by the petitioner on 10.09.2015.

For Petitioner : Mr.V.Ramamurthy

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct to the third respondent to register a case on the basis of the complaint lodged by the petitioner on 10.09.2015.

2. The petitioner herein has married one Meena on 19.01.2012 and the said marriage is an intercaste marriage. The marriage was arranged by the parents of both the petitioner as well his wife. After the marriage, some of the relatives of the petitioner developed enmity against the petitioner. A group of persons by creating communal enmity, spread rumours against the petitioner stating that the petitioner is having illicit intimacy with one Vaijayanthimala, a sales girl working in Koradacherry Primary Agriculture Co-operative Society, who used

to visit the office of the President to get signatures in the resolution book and used to visit the house of the petitioner. Thus it created suspicion in the mind of the husband of the said Vaijayanthimala and he deserted her. Hence the petitioner lodged a complaint as against one Ramesh Kumar and others. But no action was taken on the said complaint. Hence, the present criminal original petition has been filed.

3. When the matter was taken up for consideration, the learned Additional Public Prosecutor submitted that already the said Vaijayanthimala has lodged a complaint against the petitioner and against which a case was registered in Crime No.386 of 2015 under sections 417, 420 and 493 of IPC stating that by giving false promise, this petitioner had illicit intimacy with her and thereafter he refused to marry her. And only in order to over come the said complaint, the present complaint has been lodged by the petitioner.

4. In view of the submissions made on either side and as the complaint given by the petitioner is pending before the third respondent, this Court is constrained to pass the following order :

The third respondent is directed to conduct enquiry on the complaint given by the petitioner dated 10.09.2015 and proceed in accordance with law and if no prima facie case is made out for registering the FIR, the respondent is directed to dispose of the said complaint in accordance with law, as early as possible.

5. This criminal original petition is disposed of accordingly.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The District Collector,
Tiruvarur.
2. The Superintendent of Police,
Tiruvarur.

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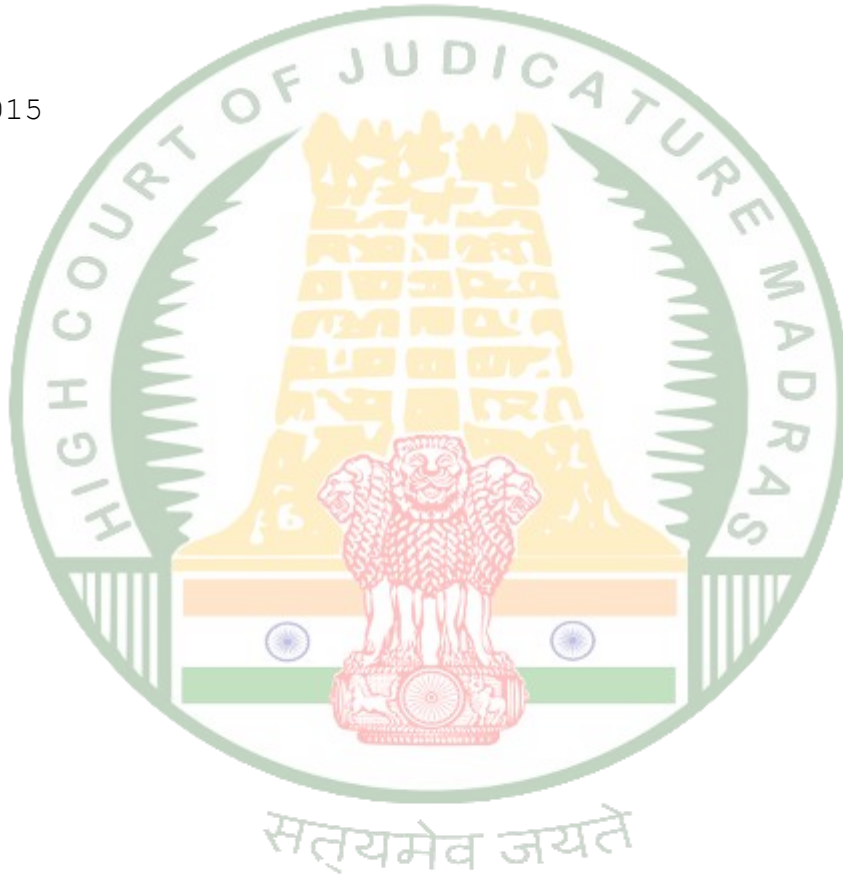
3. The Inspector of Police,
Koradacherry Police Station,
Thiruvarur District.

4. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.V.Ramamurthy Advocate sr.64205

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