

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Crl.O.P.Nos.26881 & 26882 of 2015

M.Saraswathi

... Petitioner
in both the petitions

..Vs..

1. The District Superintendent of Police
District Police Office
Ariyalur Town & District

2. The Inspector of Police
Irumbulikulurichi Police Station
Senthurai Taluk
Ariyalur District

... Respondents
in both the petitions

Prayer in Crl.O.P.No.26881 of 2015: Criminal Original Petition
filed under Section 482 Cr.P.C., to direct the 2nd respondent to
register a case based on the complaint dated 06.10.2015.

Prayer in Crl.O.P.No.26882 of 2015: Criminal Original Petition
filed under Section 482 Cr.P.C., to direct the respondents
provide police protection to the petitioner on the complaint
dated 06.10.2015.

For Petitioner : Mr.C.Nagamuthu

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

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C O M M O N O R D E R

The present petitions have been filed to direct the second respondent to register a case on the basis of the complaint given by the petitioner dated 06.10.2015 and also to provide police protection to the petitioner.

2. It is stated in the petition that the petitioner married one Murugesan, after the death of his first wife Valliammai and she was maintaining three children born to Murugesan through Valliammai and two children were born to her through the said Murugesan. It is further stated that due to the financial crunch, the petitioner had to go abroad and work there as housemaid. In the meantime, the husband of the petitioner died, but the same was not intimated to the petitioner. The petitioner, after coming to know about the death of her husband, returned to India and arranged marriage to her son Selvaraj. After the marriage, the said Selvaraj started to harass the petitioner and compelled the petitioner to give the family pension and other properties. The petitioner would further state that due to the harassment given by her son, the daughter of the petitioner, namely Thilagavathi died by committing suicide and even after the death of Thilagavathi, the said Selvaraj was continuously harassing the petitioner. Unable to tolerate the harassment, the petitioner moved from her residence and is now temporarily residing at her sister's house at Kodaikkanal and now the said Selvaraj is threatening the petitioner through phone. Hence, the petitioner has given a complaint to the first respondent on 06.10.2015 by Registered Post and since no action was taken, the petitioner came forward to file this petition.

3. Heard the submissions made by the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

4. Considering the submissions made on either side, this Court is constrained to pass the following order:

The petitioner is directed to give a fresh complaint along with a copy of this order to the second respondent within a period of one week from the date of receipt of a copy of this order. On receipt of such complaint, the second respondent is directed to conduct an enquiry on the complaint given by the petitioner and upon such enquiry, if materials are gathered

indicating commission of any cognizable offence, the respondent is directed to proceed further in accordance with law and to pass appropriate order with regard to providing police protection to the petitioner on merits as early as possible.

5. The criminal original petitions are disposed of accordingly.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gpa

To

1. The District Superintendent of Police
District Police Office
Ariyalur Town & District
2. The Inspector of Police
Irumbulikurichi Police Station
Senthurai Taluk
Ariyalur District
3. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.C.Nagamuthu, Advocate, S.R.No.59768

CrI.O.P.Nos.26881 & 26882 of 2015

MG(CO)
CA(20/11/2015)

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