

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.28228 of 2015

S.Muthulakshmi

... Petitioner

Vs

1.The Superintendent of Police,
Salem District,
Salem.

2.The Inspector of Police,
Thalaivasal Police Station,
Salem District.

.... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the second respondent, the Inspector of Police, Talaivasal Police Station, Salem District to register the petitioner's complaint dated 27.08.2015 and take necessary action against the petitioner's husband namely K.Sasikumar, his second wife Ms.Revathi and his sister Mrs.Amutha for their illegal activities of criminal trespass and criminal intimidation.

For Petitioner : Mr.R.Shankar

For Respondents : Mr.C.Emalias
Additional Public Prosecutor.

O R D E R

The present criminal original petition has been filed seeking a direction to the second respondent, the Inspector of Police, Talaivasal Police Station, Salem District to register the petitioner's complaint dated 27.08.2015 and take necessary action against the petitioner's husband namely K.Sasikumar, his second wife Ms.Revathi and his sister Mrs.Amutha for their illegal activities of criminal trespass and criminal intimidation.

2.The case of the petitioner is that the marriage between petitioner and one G.Sasikumar was solemnized on 21.10.2009 at Somampatti, Athur Taluk, Salem District. Since the date of marriage the petitioner's husband and his relatives demanded dowry from the petitioner, but due to her finance crisis, the petitioner was not able to comply with the illegal demands made by her husband and the

relatives of her husband. Hence, on 26.04.2013, the petitioner lodged a complaint against her husband and the same was assigned as C.S.R.No.138 of 2013, but no action was taken so far.

3.In the meantime, suppressing his earlier marriage with the petitioner, the petitioner's husband illegally married another girl by name Revathi on 20.03.2014. When the petitioner questioned her husband, after coming to know about the said second marriage, her husband and his relatives abused the petitioner, attacked her brutally and threatened her with dire consequences. Hence, again the petitioner lodged a complaint on 22.03.2014 and the same was assigned as C.S.R.No.94 of 2014, but till date no action was taken sofar. Subsequently, again the petitioner lodged a complaint against her husband alleging that the husband of the petitioner tried to evict the petitioner from her house and the same was received as C.S.R.No.83 of 2014. But, no action was taken so far. Thereafter, again on 01.11.2014, the petitioner lodged another complaint against her husband demanding her sridhana properties from her husband and the same was assigned as C.S.R.No.347 of 2014. But, no action was taken sofar. Consequently, the petitioner lodged a complaint on 27.08.2015 stating that the petitioner's husband and his second wife viz., Revathi and his sister viz., Amutha trespassed into her house and abused her in filthy language and threatened her with dire consequences. But till date no action was taken. Hence, the present criminal original petition has been filed.

4.I head the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5.The learned Additional Public Prosecutor submitted that the allegation made in the complaint dated 27.08.2015 does not constitute any cognizable offence and hence, he opposed to grant direction to the petitioner.

6.Considering the submissions made by the learned Additional Public Prosecutor, I am of the opinion that there is no need to give a direction to the respondent police to register a case and therefore, this petition is liable to be dismissed. Accordingly, this petition is dismissed. However, the petitioner is at liberty to workout his remedy in the manner known to law.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

vs/ari

To

1.The Superintendent of Police,
Salem District,
Salem.

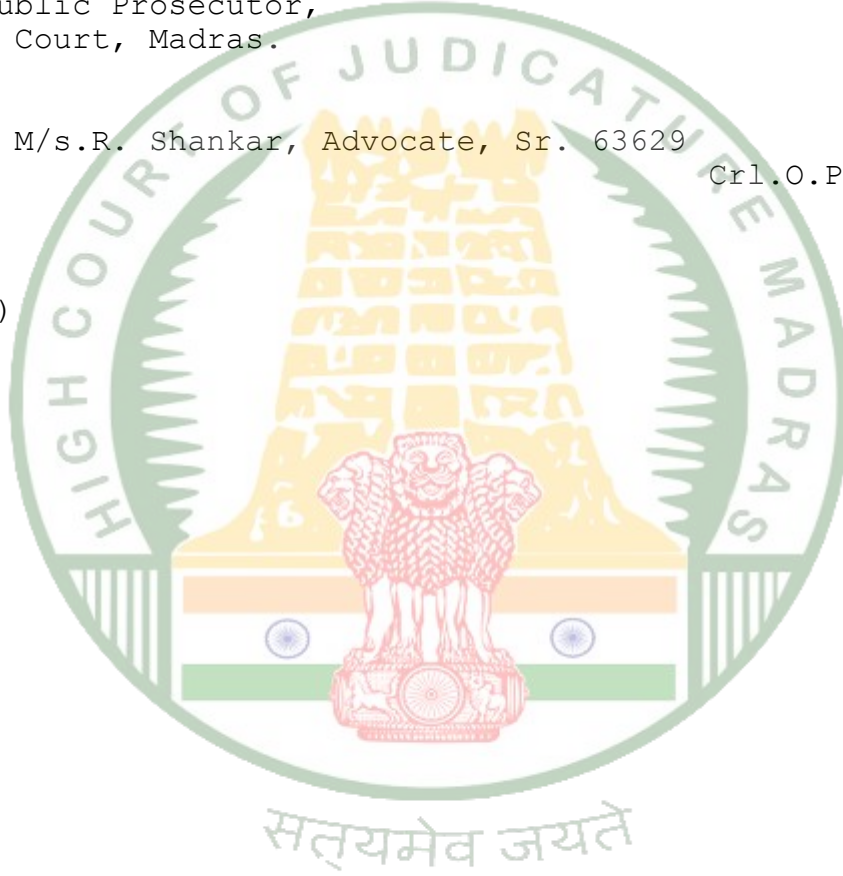
2.The Inspector of Police,
Thalaivasal Police Station,
Salem District.

3.The Public Prosecutor,
High Court, Madras.

1 cc to M/s.R. Shankar, Advocate, Sr. 63629

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