

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Crl.O.P.No.28315 of 2015

A.Karnal

... Petitioner

Vs.

1. The State rep by

The District Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai

2. The State rep by

The Inspector of Police,
Arni Town Police Station,
Thiruvannamalai District

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the second respondent to register the case based on the complaint dated 06.11.2015 and take appropriate action in accordance with law.

For Petitioner : Mr.D.K.Nepolean

For Respondents: Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to the second respondent to register the case based on the complaint dated 06.11.2015.

2. The case of the petitioner is that he had love affair with one Sujipriya for the past five years and their marriage was solemnized on 22.01.2015 as per the Christian Customs at Anthonyar Church, Kattukovil, Viruthu Vilanginan Village, Thiruvannamalai District. After performing marriage, the said Sujipriya went to her parental house. The parents of Sujipriya were not aware of the marriage that had taken place between her and the petitioner and now only they came to know about the said marriage. In the circumstances, when the petitioner tried to contact his wife over cell phone, it was continuously switched off. When he went to his father-in-law's house to meet his wife, her parents did not allow him to meet her. Hence, the petitioner lodged a complaint with the respondent police on

06.11.2015, but, no action was taken on the said complaint. Hence, he has come forward with this petition.

3. When the matter was taken up for consideration today, the learned Additional Public Prosecutor submitted that now petitioner's wife Sujipriya is staying with her parents only. Therefore, no cognizable offence is made out on the allegations and the petitioner has to seek appropriate remedy by filing Habeus Corpus Petition.

4. The petitioner has also agreed for the same.

5. In view of the submissions made by the learned Additional Public Prosecutor, this Court is not inclined to give any direction in this petition. Hence, this petition is dismissed.
srn/msr

Sd/-
Assistant Registrar (Judicial)

/True Copy/

Sub-Assistant Registrar

To

1. The District Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai
2. The The Inspector of Police,
Arni Town Police Station,
Thiruvannamalai District
3. The Public Prosecutor
High Court, Madras.

+1 C.C. To MR.D.K.Nepolean, Advocate in SR.NO.63850

CrI.O.P.No.28315 of 2015

MG(CO)

sd : 10/12/2015