

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2015

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.29185 of 2015

G.Arulsudha

... Petitioner

Vs.

1. The Inspector of Police,  
R.8, Vadapalani Police Station,  
Vadapalani, Chennai-600 026.

2. The Commissioner of Police,  
Greater City of Chennai,  
Vepery, Chennai-7.

3. The Inspector of Police,  
Thathaiyangarpettai Police,  
Musiri Taluk, Trichy Distirct.

4. The Superintendent of Police,  
Trichy District, Trichy.

.... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., praying to direct the respondents 1 and 3 not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.K.Udhayakumar

For Respondents : Mr.C.Emalias, APP (For R1)

ORDER

This petition has been filed by the petitioners praying to direct the respondents-Police not to harass the petitioner under the guise of enquiry.

2.In the affidavit filed in support of this petition, it has been stated by the petitioner that the petitioner married one V.Ganesh and the marriage is a love marriage. The petitioner was earlier employed as a Nurse in Metha Hospital, Chetpet, Chennai and her mother attempted to get her married to a third person. At that juncture, the petitioner's sister Jayanthi filed H.C.P.No.1202 of 2015 before this Court and the petitioner

was produced before this Court. In the said HCP, on hearing the petitioner, it was observed by this Court that she is a major and she was not illegally detained. She was set at liberty to act independently on her own and the said HCP was disposed of by this Court on 12.06.2015. Thereafter only, the petitioner married the said Ganesh at Thandu Thulukkanathamman Temple, Salai Vinayagar Koil, Muthialpet, Chennai, according to the Hindu rites and customs and the marriage was registered before the Registrar of Marriages, Chennai North Joint-1, vide Marriage Sl.No.2797 of 2015. But, suppressing the facts of filing the HCP and marriage between the petitioner and said Ganesh, the petitioner's mother Poomani had managed to file a petition under Section 97 of Cr.P.C., before the learned Judicial Magistrate, Thuraiyur, alleging that the petitioner has been illegally detained by her husband Ganesh, and obtained an order directing the respondents-Police to secure the petitioner in Crime No.237 of 2015 and to produce her before the learned Judicial Magistrate, Thuraiyur. On 14.11.2015 at 07.30 pm, when the petitioner and her husband were in their residence, the 3<sup>rd</sup> respondent along with his officials came to the residence in police uniform and trespassed into the residence of the petitioner and forcibly took the petitioner to the Police Station of the 1<sup>st</sup> respondent-Police and detained for two days. On 16.11.2015, the petitioner was produced before the learned Judicial Magistrate, Thuraiyur and she was forced by the respondents-Police to give a false statement before the learned Magistrate to the effect that she came out of her matrimonial home voluntarily. Thereafter, the petitioner was detained in her sister's house at Iyermedu, Erumaipatti, Namakkal District. On 04.12.2015 at about 4.00 am, the petitioner managed to escape from the clutches of her sister and reached Chennai by getting into a bus. Now, the petitioner joined her husband and living with him in Chennai. Now, at the instance of her mother, the respondents-Police are harassing the petitioner. Hence, the petitioner has come forward with the present petition.

3.Today, when the matter is taken up for consideration, the learned Additional Public Prosecutor submitted that the petitioner is not required for any enquiry by none of the respondents herein and the respondents are not going to call the petitioner and the complaint has been closed. Thus, the learned Additional Public Prosecutor submitted that there is no need to given any specific direction in this petition.

4.In view of the submission made by the learned Additional Public Prosecutor, this Court is of the opinion that there is no need to give any direction in this petition as prayed for by the

petitioner. Hence, recording the submission made by the learned Additional Public Prosecutor, this criminal original petition is closed.

ssv

s/d-  
Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,  
R.8, Vadapalani Police Station,  
Vadapalani, Chennai-600 026.
2. The Commissioner of Police,  
Greater City of Chennai,  
Vepery, Chennai-7.
3. The Inspector of Police,  
Thathaiyangarpettai Police,  
Musiri Taluk, Trichy Distirct.
4. The Superintendent of Police,  
Trichy District, Trichy.
5. The Public Prosecutor,  
Madras High Court, Madras.

+ 1 cc to Mr.K.Udayakumar, Advocate SR 66213

kgk(co)  
prk28/1

Cr1.O.P.No.29185 of 2015

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