

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2015

THE HON'BLE MR.JUSTICE R.S.RAMANATHAN

CRL.O.P.No.5554 of 2015

P.Jeyapandian

.. Petitioner

Vs.

1. State rep.by

The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
Vepery, Chennai.

2. The Inspector of Police,
G-7, Chetpet Police Station,
Chetpet, Chennai.

.. Respondents

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to direct the respondents to register a case based on the complaint given by the petitioner dated 09.02.2015 and to investigate the matter.

For Petitioner : M/s.S.Joel

For Respondent : Mr.M.Maharaja
Additional Public Prosecutor

O R D E R

This Petition has been filed under Section 482 of Criminal Procedure Code, seeking a direction to the second respondent police to register a case based on the complaint, dated 09.02.2015.

2.It is submitted by the learned counsel for the petitioner that the petitioner's son Mr.Ramesh Jayapandian was married to one Pavithra D/o.Balakrishnan and due to misunderstanding they got separated and the petitioner's son filed an application pending before the 1st Additional Family Court, Chennai, for divorce. In the meanwhile, on 11.02.2012, the said Pavithra had lodged a complaint to the Inspector of Police, G-7, Chetpet Police Station and the enquiry was conducted and closed. After enquiry on the basis of assurance given by the said Ramesh JeyaPandian, the complaint was closed. Thereafter, the father of the said Pavithra D/o.Balakrishnan attempted to kidnap the petitioners' son with the intention of murdering him and therefore, the complaint was given before the Commissioner of Police, Chennai and the Inspector of Police, J-13, Taramani Police Station, Chennai, on 12.03.2012 and

enquiry was conducted and the said complaint was closed. Again, the petitioner's family continuously harassed the petitioner's wife. The said Pavithra had lodged a complaint before the Inspector of Police, G-7, Chetpet Police Station, Chetpet, Chennai and that was also enquired and closed. Now alleging that the said Balakrishnan, his family members had threatened the petitioner and his family members, the petitioner had given a complaint on 09.02.2015 before the second respondent-police and therefore, case has to be registered.

3. It is submitted by the learned Addl.Public Prosecutor that earlier two complaints given by the petitioner's son and his wife, after enquiry, were closed as they are found to be false. He further submitted that the petitioner's son married for the second time, subsequently, daughter-in-law filed a private complaint before the Metropolitan Magistrate Court, Chennai, and the Petitioner's son also filed an application for divorce, both are pending before the Family Court. The present petition was also enquired and found to be false and therefore, this petition may be dismissed.

4. Considering the submission made by the learned Additional Public Prosecutor and considering the complaint wherein the fake allegations are made and considering the fact that earlier complaints given by the petitioner and his wife, were closed, the criminal original petition is closed.

-s/d-

Assistant Registrar()

Dt:23/3/2015

True Copy

Sub-Assistant Registrar

To

1. The Commissioner of Police,
Greater Chennai,
Office of the Commissioner of Police,
Vepery, Chennai.

2. The Inspector of Police,
G-7, Chetpet Police Station,
Chetpet, Chennai.

3 The Public Prosecutor,
High Court of Madras,
Chennai.

+ 1 cc to Mr.S.Joel, Advocate SR 13643

gj(co)
prk25/3

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