

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.6983 of 2015

M.Rajesh

...Petitioner

Vs

State by
The Inspector of Police,
K-10, Koyambedu Police Station,
Koyambedu
Chennai

...Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to register a case on the complaint given by the petitioner on 27.01.2015 and to file a final report within a stipulated period.

For Petitioner : Mr.M.Duraimurugan

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

Seeking a direction to the respondent police to register a case on the complaint given by the petitioner on 27.01.2015 and to file a final report within a stipulated period, the petitioner has come up with this petition.

2. I have heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and I have also perused the records carefully.

3.It is seen that the petitioner is the husband and that he has lodged a complaint against his wife for aborting the child in the womb without his permission. The police have registered the complaint in CSR.No.54 of 2015 and conducted enquiry. The wife appeared before the police and gave her explanation stating that she had underwent abortion because of her ill health.

4. On a reading of the complaint and the explanation offered by the wife, it essentially appears to be a matrimonial dispute, which could be resolved through the Family Court. Under such circumstances, this Court is of the view that this is not a fit case to issue a direction for registering the FIR and hence the Criminal Original Petition is closed with liberty to the petitioner to work out his remedy in the manner known to law.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
K-10, Koyambedu Police Station,
Koyambedu, Chennai
2. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.M.Duraimurugan, Advocate SR.No.19101

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PPA (CO)
PSI (21.04.2015)

सत्यमेव जयते

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