

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2015

CORAM

The Hon'ble Mr. Justice R.S.Ramanathan

Crl.O.P.No.770 of 2015 and M.P. No.1 of 2015

S.Sivanandham

... Petitioner

vs.

1.The State represented by Inspector of Police,
W.32 Madipakkam All women Police Station,
Chennai. ...1st Respondent

2.R.Saranya ...2nd Respondent/ Defacto
Complainant

Criminal Original Petition filed under Section 482 of the
Criminal Procedure Code praying to call for the connected records
made in Memo No. passed by the first respondent herein dated
06.01.2015 and quash the same as illegal.

For Petitioner : Mr.K.Kannan

For Respondents: Mr.M.Maharaja
Additional Public Prosecutor for R1

O R D E R

This petition has been filed under Section 482 of Criminal
Procedure Code, to quash the Memo passed by the first respondent
dated 06.01.2015.

2.It is submitted by the learned counsel for the petitioner
that earlier a complaint was given by the wife and therefore, the
petitioner and two others filed Crl.O.P. No.27384 of 2014 for
Anticipatory Bail and in that petition it was submitted by the
learned Government Advocate that complaint was given by Saranya was
enquired and closed and recording the statement of the learned
Government Advocate, Anticipatory Bail petition was also closed by
this Court on 19.12.2014 and thereafter the police issued a notice
directing the petitioner to appear before the respondent police on
09.01.2015 and hence, the same has to be quashed.

3.Learned Additional Public Prosecutor submitted that earlier compliant given by the wife was referred to Social Welfare Officer and the Social Welfare Officer, after conducting enquiry, submitted a report to the police, stating that the parties may be called for returning the articles belonging to the wife and for that purpose, notice was issued and that the petitioner appeared before the respondent and recording his statement further action will be taken.

4.Considering the submission made by the learned counsel for the petitioner and the learned Additional Public Prosecutor, notice was issued by the respondent police in respect of return of articles belonging to the wife and it is open to the petitioner to appear before the respondent police and that the respondent police is directed to record the statement of the petitioner and to take further action in accordance with law. I do not find any reason to quash the notice and hence, the Criminal Original Petition is dismissed. Consequently, connected M.P. is closed. Consequently connected MP is closed.

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

vga

To

1.The Inspector of Police,
W.32 Madipakkam All women Police Station,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

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Cr1.O.P.No.770 of 2015

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