



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2015

CORAM

THE HON'BLE MR.JUSTICE C.T.SELVAM

CRL.O.P.(MD)No.340 of 2015

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RUKKUMANI AMMAL

.. Petitioner

Vs.

1. THE SUPERINTENDENT OF POLICE,
TANJORE DISTRICT, TANJORE,

2. THE INSPECTOR OF POLICE,
KABISTHALAM, BABANASAM,
TANJORE DISTRICT.

3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KELUVALUTHOOR,
BABANASAM, TANJORE DISTRICT.

.. Respondents

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to direct the 3rd respondent to provide sufficient police protection to the petitioner on the basis of her complaint dated 05.01.2015 enabling the petitioner to enjoy the order passed by the Honourable Principal District Court Madurai in Cr.MP.No.5511 of 2014 in Crl.A.No.33 of 2014 dated 08.09.2014.

For Petitioner : Mr.Babu Rajendran

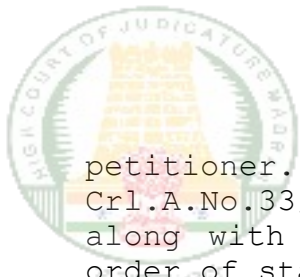
For Respondents : Mr.K.V.Rajarajan
Government Advocate(Crl. Side)

ORDER

The petitioner seeks direction to provide police protection to the petitioner on the basis of her complaint dated 05.01.2015 towards enabling the petitioner to enjoy the benefit of the order passed by the Honourable Principal District Court Madurai in Cr.MP.No.5511 of 2014 in Crl.A.No.33 of 2014 dated 08.09.2014.

2. Heard the learned counsel for the petitioner, learned counsel for intervenor and the learned Government Advocate (crl. side) and perused the papers.

3. The petitioner and the intervenor are mother-in-law and daughter-in-law. The intervenor and the son of the petitioner fell in love and entered upon marriage on 25.03.2010. They had difference of opinion. The intervenor preferred a complaint alleging offences under Section 498-A of IPC in Crime No.119 of 2013 on the file of the third respondent, as against the petitioner and her family members. Thereafter, the intervenor lodged a petition under The Protection of Women from Sexual Harassment Act in DVOP No.8 of 1013 before the learned Judicial Magistrate, Melur. The same was ordered on 31.07.2014 interalia allowing the intervenor to reside in the residential house of the



petitioner. Challenging the same, the petitioner has filed Crl.A.No.33/14 before the learned Principal District Judge, Madurai along with stay application in Cr.M.P.No.5511 of 2014 and obtained an order of stay.

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4. Thereafter, the intervenor filed H.M.O.P.No.124 of 2014 before the Family Court, Madurai seeking restitution of conjugal rights while her husband filed a petition for divorce in H.M.O.P.No.819 of 2014 before the same Court.

5. The intervenor/daughter in law informs that during the course of mediation conducted in H.M.O.P.No.819 of 2014, the intervenor and her husband, who is the son of the petitioner have come together and that they now are residing in the shared matrimonial home without interference by anybody.

6. Admittedly, the property towards enjoyment of which the petitioner seeks police protection stands in her name. It is the claim of the intervenor that such property was bought and residential house put up thereon through the earnings of her husband, his brother, and also that her earnings went into putting up the construction. In the DVOP proceedings the intervenor has deposed that the petitioner/Mother-in-law resided at Kabisthalam, i.e. the property where regards the petitioner seeks police protection and that the intervenor and her husband had taken up residence at Chennai. It also is her evidence that there had not been a shared household. What the intervenor/daughter-in-law seeks to do is inform the rights of others in property at Kabisthalam, held by the petitioner. This, if at all, can be done only through due civil process. Hence the respondents police are directed to afford police protection to the petitioner.

7. The Criminal Original Petition is ordered accordingly. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

1. THE SUPERINTENDENT OF POLICE, TANJORE DISTRICT, TANJORE,
2. THE INSPECTOR OF POLICE, KABISTHALAM, BABANASAM, TANJORE DISTRICT.
3. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, KELUVALUTHOOR, BABANASAM, TANJORE DISTRICT.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court, adurai.

+1cc to Mr.Babu Rajendran, Advocate SR.No.15181

+1cc to Mr.T.Vadivelan, Advocate SR.No.16100

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