

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.08.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.13747 of 2016

N.Adhisheshaiah

... Petitioner

Vs

The Inspector of Police,
K-2, Police Station,
Ayanavaram,
Chennai.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent to register an FIR on the basis of the petitioner's complaint dated 23.04.2016 in complaint Receipt No.154 of 2016 on the file of the respondent.

For Petitioner : Mr.S.Kingston Jerold
For Respondent : Mr.C.Emalias, APP

O R D E R

This petition has been filed to direct the respondent to register an FIR on the petitioner's complaint dated 23.04.2016.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondent and perused the materials placed on record.

3. It is seen that this petitioner has lodged a complaint dated 23.04.2016 alleging that the whereabouts of his wife Radhai is not known to him. The petitioner also filed HCP.No.1353 of 2016 before this Court for a direction to the respondent Police to trace his wife.

4. Learned Additional Public Prosecutor on instructions submitted that, Radhai and the petitioner's son were produced before the Division Bench in HCP.No.1353 of 2016 on 01.08.2016 and that, Radhai had told the Division Bench that she does not want to live with the petitioner and that, she wants to be left

alone. The Division Bench had recorded her statement and closed the HCP No.1353 of 2016 on 01.08.2016 with liberty to the petitioner to workout his remedies in the manner known to law.

5. Now, it is the contention of the petitioner that, even to approach the Family Court for getting appropriate relief, he does not know the address of Radhai and therefore, he wants the Police to get the address of Radhai. When Radhai appeared before the Division Bench, the petitioner must have been diligent enough to get all those details there itself.

6. Under such circumstances, no positive direction can be issued to the respondent Police to register FIR as the complaint does not disclose the commission of cognizable offence. However, liberty is granted to the petitioner to workout his remedies before the appropriate forum.

With the above direction, this petition is closed.

s/d-
Assistant Registrar(CS-VI)

True Copy

Sub-Assistant Registrar

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To

1.The Inspector of Police,
K-2, Police Station,
Ayanavaram,
Chennai

2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr. S. Kingston Jerold, Advocate, Sr.No.47534

CA (CO)
MD : 07.09.2016

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