

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.14186 of 2016

N.Sangeetha

..Petitioner

Vs

The State rep by its
Inspector of Police
(Law & Order)
Redhills Police Station
Redhills
Thiruvallur District.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to give direction to the Inspector of Police, (Law and order) Redhills Police Station, Redhills, Thiruvallur District and the respondent police herein to register the FIR on the complaint dated 23.06.2016 sent to the respondent police by the petitioner and take action in accordance with law.

For Petitioner: Mr.D.Sridhar

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

O R D E R

This petition has been filed to give direction to the Inspector of Police, (Law and order) Redhills Police Station, Redhills, Thiruvallur District and the respondent police herein to register the FIR on the complaint dated 23.06.2016 sent to the respondent police by the petitioner and take action in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. One Sangeetha aged about 22 years who has completed B.Sc. from Anna Adarsh College for Women was in love with one Thirulokachander. Sangeetha went missing on 24.06.2016 and her father Narayanamoorthy went in search of her and ultimately found that a marriage has been arranged between Sangeetha and Thirulokachander at Vadapalani Murugan temple on 25.04.2016. Narayanamoorthy tried his level best to dissuade his daughter from marrying Thirulokachander, despite which Sangeetha is said to have got married to Thirulokachander.

4. On the complaint given by Narayanamoorthy, a petition enquiry is conducted in CSR No.225 of 2016 by the respondent police, in which Narayanamoorthy, Sangeetha and Thirulokachander were examined. Sangeetha in her statement dated 25.04.2016, has clearly stated that she was in love with Thirulokachander and that her parents were not agreeing for the marriage and therefore, she went away with him. Sangeetha and Thirulokachander also produced the registered copy of the marriage certificate and the photo album of their marriage. Since Sangeetha is aged 22 years, police have no other option, but to close the enquiry in CSR No.225 of 2016, as they found that she has gone on her own volition with Thirulokachander. While so, Narayanamoorthy again lodged a complaint on 31.05.2016, alleging that when he went to see Thirulokachander's house to see his daughter, he was prevented by Thirulokachander from seeing her daughter. On the complaint given by Narayanamoorthy, a petition enquiry was conducted in CSR No.272 of 2015, in which Sangeetha was called and once again enquired. In the statement given by Sangeetha she stated that she is living happily with Thirulokachander and that her parents are unnecessarily harassing her by coming to her matrimonial home. Therefore, the petition enquiry in CSR No.272 of 2012 was closed.

5. On 25.06.2011, Thirulokachander lodged a complaint stating that his wife Sangeetha is in the family way and that she wanted to go to her parents house and he permitted her to go and after going to her parents house, she has not returned. On the complaint given by Thirulokachander, a petition enquiry is being conducted in CSR No.306 of 2016.

6. In the meantime, the police also received a complaint on 24.06.2016 from Sangeetha wherein, she has made allegations that she was forced to get married to Thirulokachander. On the complaint given by Sangeetha, a petition enquiry is pending in CSR No.308 of 2016. Under such circumstances, Sangeetha is before this Court for a direction to the respondent police to register a case against Thirulokachander.

7. On going through the entire facts and circumstances of the case, this Court does not find any merit in the allegations of Sangeetha that has been made in her complaint. On enquiry conducted at various times as narrated above, Sangeetha has gone on her own volition with Thirulokachander and had got married to him at Murugan temple, Vadapalani and thereafter, now she says that she was given some sedatives, under influence of which, she was forced to get married. This is too large a pill for this Court to swallow. Hence, no positive directions as prayed for by the petitioner can be granted. However, learned counsel for the petitioner submitted that the degree certificate and other certificates, election I.D., Adhar Card are with Thirulokachander. The respondent police is directed to enquire on this aspect and if it is found that the same are under the custody of

Thirulokachander, the same shall be handed over to Sangeetha. The matter is left open for the parties to work out their remedies before the Family Court, if they so desire.

With the above direction and observation, this petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

gms

To

1.The Inspector of Police
(Law & Order)
Redhills Police Station
Redhills
Thiruvallur District.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D. Suresh, Advocate, S.R.No.40498

LRS (CO)
EU(08/08/2016)

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सत्यमेव जयते

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