

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.1510 of 2016

H.Pakrudeen

... Petitioner

Vs

1. The Superintendent of Police,
O/o. Superintendent of Police,
Namakkal.

2. The Sub Inspector of Police,
Nallipalayam Police Station,
Namakkal District

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the second respondent to register a First Information Report based on the petitioner's complaint dated 15.12.2015.

For Petitioner : Mr.R.Venkatesh

For Respondents : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the second respondent to register a First Information Report based on the petitioner's complaint dated 15.12.2015.

2. The marriage between the petitioner and his wife Reshma was solemnized on 08.09.2013 at Pavalar Muthusamy Corporation Hall, Namakkal according to Muslim religious rites and communal customs. The petitioner was working in HPCL Steel Plant, Vishakapatnam, Andhra Pradesh. The petitioner was leading his matrimonial life with his wife peacefully. All of a sudden, the wife of the petitioner left the matrimonial home without informing the petitioner and filed a maintenance petition before the Chief Judicial Magistrate Court, Namakkal in M.C.No.5 of 2015. The petitioner is appearing before the Chief Judicial Magistrate, Namakkal on every hearing. At that time, the petitioner's wife and her relatives and other rowdy elements threatened the petitioner in the presence of the Chief Judicial

Magistrate and the Chief Judicial Magistrate also warned the accused persons not to indulge in such unwanted activities, otherwise, necessary action will be initiated against them. After the adjournment of the case, when the petitioner came out of the Court premises, the above said persons again threatened the petitioner with dire consequences. Hence the petitioner lodged a complaint before the second respondent. As no action was taken on the said complaint, the petitioner sent a complaint to the first respondent through registered post. But, no action has been taken on the said complaint till date. Hence, the petitioner has come forward with the present criminal original petition.

3. I have heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents.

4. Considering the factual aspects of case, this court directs the first respondent to conduct enquiry on the complaint of the petitioner dated 15.12.2015 and upon enquiry, if materials are gathered indicating commission of any cognizable offence, he is directed to proceed further in accordance with law as early as possible.

5. This criminal original petition is disposed of accordingly.

vrc

s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Namakkal.
2. The Sub Inspector of Police,
Nallipalayam Police Station,
Namakkal District
3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.R.Venkatesh, Advocate SR 5295

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