

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.16664 of 2016

L.Gayathri

...
Vs

Petitioner

The Inspector of Police,
All Women Police Station,
Adayar,
Chennai-600 020.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondent to register the petitioner's complaint dated 04.05.2016 in CSR No.50 of 2016 on the file of the respondent, inquire into the same and take action in accordance with law.

For Petitioner :Mr.Rajeswari Karthikeyan

For Respondent :Mr.C.Emalias,

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondent to register the petitioner's complaint dated 04.05.2016 in CSR No.50 of 2016, and to enquire the same and take action in accordance with law.

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

3. For the sake of convenience, the parties will be referred to by their name. Gayathri got married to one Balagurunathan on 22.01.1999 and they have two children through wedlock. While so, their marriage ran into rough weather. Gayathri filed HMOP.No.3009 of 2014 and obtained ex parte decree of divorce on 27.07.2015 before the I Additional Family Court, Chennai.

4. It is her allegation that even after divorce, Balagurunathan is coming and staying in her house and harassing her. It is her contention that the house in which she resides is her ancestral property and does not belong to Balagurunathan, despite which Balagurunathan is harassing her. In this regard, Gayathri gave a complaint dated 04.05.2016, based on which, petition enquiry was conducted in CSR No.50 of 2016, during which Balagurunathan appears to have

given an undertaking to the Police that he will vacate the house within one month time, despite which, he has not vacated.

5. On the strength of the undertaking given by Balagurunathan, the respondent Police have closed the enquiry in CSR.No.50 of 2016. Taking into consideration the fact that Balagurunathan has not vacated the house, the closure report of CSR.No.50 of 2016 is set aside and the respondent Police is directed to reopen the case and conduct enquiry and take action in accordance with law.

With the above direction, this Criminal Original Petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Inspector of Police,
All Women Police Station,
Adayar,
Chennai-600 020.

2.The Public Prosecutor,
High Court, Chennai.

+1 cc to Mrs.Rajeswari, advocate,sr.45001.

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