

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.01.2016

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Crl.O.P.No.171 of 2016

K.Chidambaram

..Petitioner/Complainant

Vs.

The State rep.by
The Inspector of Police,
Arakkonam Taluk Police Station,
Vellore District.

..Respondent

Prayer: Petition filed under Section 482 of the Criminal Procedure Code praying to direct the respondent police to register a case based on the petitioner's complaint dated 12.12.2015 pending on the file of the respondent police.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondent-police to register a case based on the petitioner's complaint dated 12.12.2015 pending on the file of the respondent police.

2.The case of the petitioner is that the marriage between the petitioner's son Sivakumar and one Soundariya was solemnized on 08.03.2015. Due to some misunderstanding between them, they were living separately. Hence, the petitioner's son filed a petition in H.M.O.P.No.62/2015 before the learned Subordinate Judge, Ranipet, Vellore District for divorce and the same is pending. In the meantime, the petitioner's wife suffered a lot both physically and mentally. On the advise of the

Doctor, the petitioner has taken his wife at Tirupathy for better treatment. On 31.10.2015 at about 5.00 p.m., one Soudarya, K.Karunanithi @ Karunagaran, K.Ananthi, K.Santhosh Kumar @ Santhosh, Vinoth, Kanchana, Kannammal, Valliyammal, Siva, Ramachandiran, Sivaguru Senthil and Sathish kumar along with others jointly trespassed into the petitioner's house. The petitioner received a phone call from his neighbour about the said incident. When the petitioner questioned the same, the proposed accused persons abused the petitioner in a filthy language and pushed him on the floor. Hence, the petitioner lodged a complaint before the respondent-police. Since no action was taken so far, the present criminal original petition has been filed.

3.The learned Additional Public Prosecutor submitted that this is a matrimonial dispute. Further, he submitted that the complaint was sent only by post and if the petitioner gives a fresh complaint, necessary action would be taken.

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

5.In view of the submissions made on either side, this Court directs the petitioner to give a fresh complaint along with the copy of this order before the respondent-police within a period of two weeks from the date of receipt of a copy of this order, and on receipt of the same, the respondent-police is directed to conduct enquiry and upon enquiry, if materials are gathered indicating commission of any cognizable offence, the respondent-police is directed to proceed further in accordance with law, as early as possible.

6.Accordingly, the criminal original petition is disposed of.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

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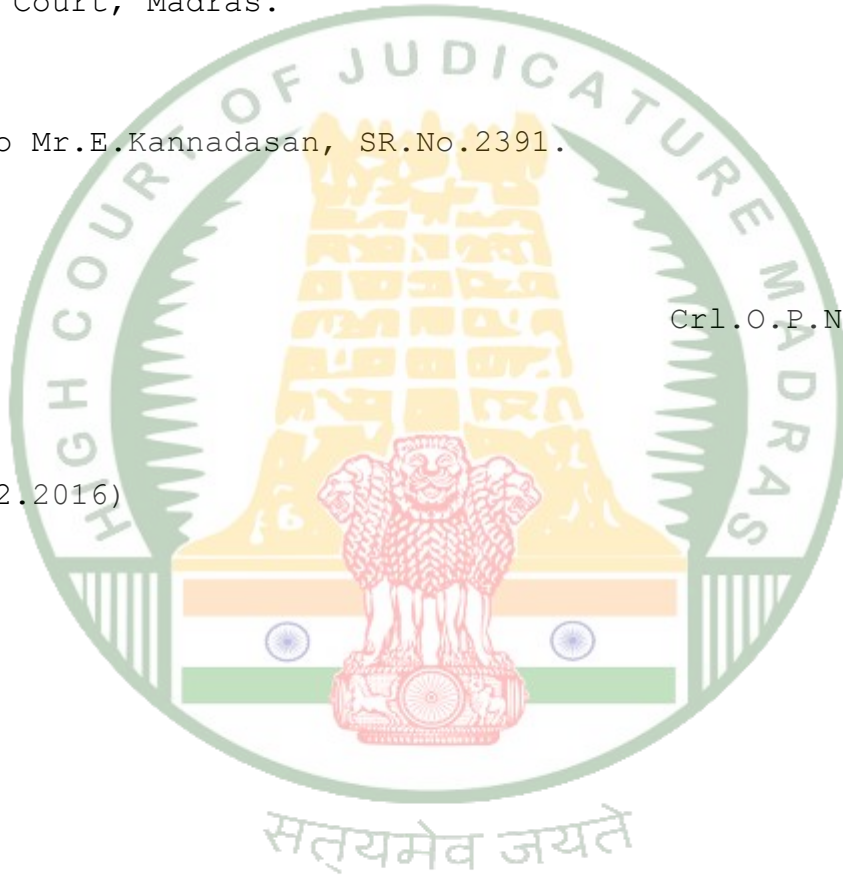
1.The Inspector of Police,
Arakkonam Taluk Police Station,
Vellore District.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.E.Kannadasan, SR.No.2391.

CrI.O.P.No.171 of 2016

CTK (CO)
VS (09.02.2016)



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