

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.750 of 2016

Sri Abinaya

... Petitioner

Vs

1. State rep. by

The Inspector of Police,
All Women Police Station East
B7 Ramanathapuram Police Station,
Coimbatore.

2. R.Gangaram

3.Mrs.Yasodha

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the first respondent viz., The Inspector of Police, All Women Police Station East, B7, Ramanathapuram Police Station, Coimbatore, to register the complaint dated 28.12.15 in CSR No.701 of 2015 against the second and third respondents.

For Petitioner : Mr.S.Chandrasekar

For 1st Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the first respondent to register the complaint dated 28.12.15 in CSR No.701 of 2015 against the second and third respondents.

2. The petitioner was given in marriage to the second respondent on 23.01.2013 at Coimbatore. The third respondent is the mother-in-law of the petitioner. Even after several months of the marriage of the petitioner and the second respondent, there was no cohabitation between them. Whenever, the petitioner insisted for cohabitation, the second respondent refused for the same and he started attacking the petitioner violently without any reason. Moreover, the third respondent, who is none other than the second respondent's mother,

complained to her relatives that the petitioner was refusing to have co-habit with the second respondent. In this regard, the petitioner has lodged a complaint before the first respondent. Though C.S.R.No.701 of 2015 has been assigned and enquiry was conducted, no case has been registered on the basis of the complaint of the petitioner. 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 first respondent.

4. The learned Additional Public Prosecutor submitted that the petitioner can resolve the dispute before the Family Court. However, on receipt of the complaint of the petitioner, C.S.R.No.701 of 2015 has been assigned and the matter is pending for enquiry.

5. In view of the submissions made on either side, this Court directs the first respondent to conduct enquiry on the complaint given by the petitioner dated 28.12.2015 in C.S.R.No.701 of 2015 and dispose the same in accordance with law, as early as possible.

6. This criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
All Women Police Station East
B7 Ramanathapuram Police Station,
Coimbatore.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Chandrasekar, Advocate, S.R.No.2173

Cr1.O.P.No.750 of 2016

ad(CO)
srg(01/02/2016)