

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.751 of 2016

G.Venkatakkrishnan

... Petitioner

Vs

The State rep. by The Inspector of Police,
[Law and Order],
Virugambakkam Police Station,
Virugambakkam,
Chennai - 600 092.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to register the complaint dated 28.12.2015 pending on the file of the respondent herein in 1120/CSR/R5PS, investigate the same and take necessary action on the same.

For Petitioner : Mr.M.Baskaran

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to to register the complaint dated 28.12.2015 pending on the file of the respondent herein in 1120/CSR/R5PS, investigate the same and take necessary action on the same.

2. The petitioner is working for TATA Consultancy Services Limited. The petitioner married one Nithya and the marriage was solemnized on 13.11.2011 as per Hindu rites and customs. Thereafter, dispute arose between the petitioner and his wife and hence his wife left the matrimonial home on 29.03.2012 and she was residing with her parents at Flat No.6D, Daffodil Block, Ceebros Garden, No.136, Arcot Road, Virugambakkam, Chennai - 92. Therefore, the petitioner filed a petition in O.P.No.4009 of 2013 before the learned II Additional Family Court, Chennai for dissolution of marriage in which the petitioner's wife had filed her counter and the same is posted for enquiry on 06.02.2016. The petitioner's wife was living with her parents from 29.03.2012 to 28.12.2015. While so, on 28.12.2015 at about 6.30 a.m. the petitioner's wife Nithya, her

father Vaithyanathan, her brother Hariharan and her grandfather Sundaram and two unidentified men had barged into the house of the petitioner and threatened the petitioner and his family members that they will commit suicide if the petitioner does not withdraw the matrimonial case. Further they had thrown the petitioner and his mother out of their house . Therefore, the petitioner lodged a complaint before the respondent on 28.12.2015. Though CSR No.1120 of 2015 has been assigned, 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 respondent.

4. The learned Additional Public Prosecutor submitted that the dispute between the petitioner and the counter petitioners are with regard to matrimonial dispute. However, on receipt of the complaint of the petitioner, C.S.R.No.1120 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 respondent to conduct enquiry on the complaint given by the petitioner dated 28.12.2015 in C.S.R.No.1120 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 II)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
[Law and Order],
Virugambakkam Police Station,
Virugambakkam,
Chennai - 600 092.

2. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.M.Baskaran, Advocate, S.R.No.2294

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rsy(CO)
srg(28/01/2016)



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