

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.833 of 2016

S.Prasanna Kumar

... Petitioner

Vs

State rep. by
The Assistant Commissioner of Police,
Selayur Range,
Selayur,
Chennai - 600 073.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to register the F.I.R. And to carry out necessary investigation pursuant to the complaint dated 30.12.2015.

For Petitioner : Mr.M.Babu Muthu Meeran

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor.

O R D E R

This petition has been filed to direct the respondent to register the F.I.R. and to carry out necessary investigation pursuant to the complaint dated 30.12.2015.

2. The petitioner herein married one Jessy Epsiba on 10.04.2013. The said marriage was an arranged marriage and also an intercaste marriage. Due to the wedlock, a male child was born on 26.12.2013. However, from the date of marriage at the instigation of the petitioner's in-laws, the petitioner's wife teased him since he belongs to schedule caste community. On 7.6.014, the petitioner met with an accident and lost his eyesight in the left eye. Taking advantage of this, the petitioner's wife and her parents teased the petitioner by calling him as an handicapped person. When the same was questioned, the petitioner's wife left the matrimonial home along with the child. When the petitioner went to his in-laws house to meet his child, he was not allowed to see his child by his wife and her parents. They also abused him by mentioning his caste name. Hence, the petitioner lodged a complaint with the

respondent police . Since no action was taken till date, the present petition has been filed.

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

4. Considering the submissions made on either side, this Court directs the petitioner to give a fresh complaint to the Inspector of Police, Peerkankarunai Police Station. On receipt of the said complaint, the Inspector of Police, Peerkankarunai Police Station is directed to conduct an enquiry on the said complaint and upon enquiry, if the materials are gathered indicating any cognizable offence, he is directed to forward the same to the Assistant Commissioner, Selaiyur Range, Selaiyur, Chennai. In the course of enquiry, if no prima facie case is made out or the matter is civil in nature, the Inspector of Police, Peerkankarunai Police Station, is directed to pass appropriate orders on the complaint made by the petitioner.

5. The criminal original petition is disposed of accordingly.
vsi

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Assistant Commissioner of Police,
Selayur range, ,
Selayur,
Chennai - 600 073.

2. The Inspector of Police,
Peerkankarunai Police Station,
Chennai.

3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.M.Babu Muthu Meeran, Advocate SR 2313

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