

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 13.07.2016****CORAM:****THE HONOURABLE DR.JUSTICE P.DEVADASS****CrI.O.P.(MD) No.11423 of 2016****WEB COPY**

Kalaiselvi @ Anthoniammal

... Petitioner

-vs-

1.The Superintendent of Police,
Pudukkottai.

2.The Inspector of Police,
Thirukokarnam Police Station,
Pudukkottai District.

... Respondents

PRAYER: Criminal Original Petition is filed, under Section 482 Cr.P.C., praying to direct the respondents to register the FIR by considering the petitioner's representation dated 27.06.2016.

For Petitioner : Mr.A.P.Dhas
For Respondents : Mr.P.Kandasamy
Govt.Advocate (CrI.Side)

O R D E R

Kalaiselvi @ Anthoniammal seeks a direction under Section 482 Cr.P.C. to register a case as against her husband, investigate and file final report according to law.

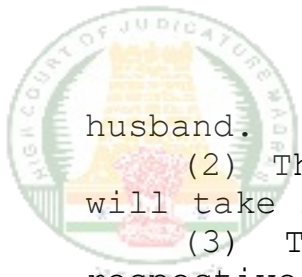
2.The grievance of Kalaiselvi @ Anthoniammal is that her husband has eyed on another woman. Further, he has taken away her Sriithana articles.

3.Adultery is an offence but it is not cognizable offence. It has been classified as non-cognizable offence. It will be a complaint case. No F.I.R. can be registered in a case of married man committing adultery. It is pertinent to note that there is marital discordance between the spouses. They are having children also. It has to be solved.

4.The learned counsel for the petitioner submitted that the matter may be mediated so that the spouses may be united and the children also need not be affected.

5.In the circumstances, ordered as under:

(1) The Chairman, District Legal Services Authority/Principal District Judge, Pudukkottai will nominate a Legal Aid Panel Advocate to mediate the marital dispute between the petitioner and her



husband.

(2) The report shall be submitted to the said Chairman, who will take further action in accordance with law.

(3) The responsible relatives from both sides and their respective counsels shall be permitted to participate before the mediation proceedings.

6. Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To:

1. The Chairman/Principal District Judge,
District Legal Services Authority,
Pudukottai.
2. The Secretary,
District Legal Services Authority,
Pudukottai.
3. The Additional Public Prosecutor, (Criminal Side)
Madurai Bench of Madras High Court,
Madurai.
4. The Superintendent of Police,
Pudukkottai.
5. The Inspector of Police,
Thirukokarnam Police Station,
Pudukkottai District.

+1 CC to Mr.A.P.DHAS, Advocate, SR No.36924

SH/DB:20.07.2016:2P/7C

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