



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

Crl.O.P.(MD) No.6661 of 2016

Suriya Prasanth

... Petitioner

-vs-

1.The Commissioner of Police,
Madurai District.

2.The Inspector of Police,
Mathichiyam Police Station,
Madurai District.

3.Pitchai

4.P.Muthu

... Respondents

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure to direct the respondents to provide adequate police protection to the petitioner and his wife for their personal life and limb.

For Petitioner : Mr.V.A.Dhana Aravindha Balaji

For Respondents : Mrs.S.Prabha
Government Advocate (Crl.side)
for R.1 and R.2

O R D E R

This Criminal Original Petition is filed by the petitioner seeking a direction to the respondents 1 and 2 to provide adequate police protection to the petitioner and his wife for their personal life and limb.

2. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl.Side), who takes notice for the respondents 1 and 2.

3. The petitioner has married one Arthi and the marriage has been duly registered on 07.04.2016; that the 3rd and 4th respondents, who are the father and brother of the petitioner's wife are threatening the couple with the dire consequences and the



apprehension is that the petitioner and his wife may even be killed; that a complaint was laid on 12.04.2016, which was not enquired into and that made the petitioner to approach this Court seeking protection.

4. Admittedly, the marriage between the petitioner and his wife is not an arranged marriage and as it is alleged to be an inter-caste marriage, the parents are stated to be unhappy over that. The specific allegation is that they are likely to be murdered in the name of caste.

5. It is appropriate to quote the observation of the Hon'ble Supreme Court made in **Lata Singh vs State of U.P. & Another,** reported in **(2006) 5 SCC 475,** as under:

The caste system is a curse on the nation and the sooner it is destroyed the better. In fact, it is dividing the nation at a time when we have to be united to face the challenges before the nation unitedly. Hence, inter-caste marriages are in fact in the national interest as they will result in destroying the caste system. However, disturbing news are coming from several parts of the country that young men and women who undergo inter-caste marriage, are threatened with violence, or violence is actually committed on them. In our opinion, such acts of violence or threats or harassment are wholly illegal and those who commit them must be severely punished. This is a free and democratic country, and once a person becomes a major he or she can marry whosoever he/she likes. If the parents of the boy or girl do not approve of such inter-caste or inter-religious marriage the maximum they can do is that they can cut off social relations with the son or the daughter, but they cannot give threats or commit or instigate acts of violence and cannot harass the person who undergoes such inter-caste or inter-religious marriage. We, therefore, direct that the administration/police authorities throughout the country will see to it that if any boy or girl who is a major undergoes inter-caste or inter-religious marriage with a woman or man who is a major, the couple are not harassed by any one nor subjected to threats or acts of violence, and any one who gives such threats or harasses or commits acts of violence either himself or at his instigation, is taken to task by instituting criminal proceedings by the police against such persons and further stern action is taken against such persons as provided by law.

6. As there is reported cases of honor killing, which is stated to be prevalent in the area where the petitioner is residing, it is imperative that the respondents should provide protection to the petitioner and to his wife.



7. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS II)

WEB COPY

/True copy/

Sub Assistant Registrar

To:

1.The Commissioner of Police,
Madurai District.

2.The Inspector of Police,
Mathichiyam Police Station,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.Dhana Law Associates, Advocate SR.No.27822

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Cr1.O.P.(MD)No.6661 of 2016