



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:21.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.9381 of 2017

Selvakumar

... Petitioner

-Vs-

The State, through

1.The Superintendent of Police,
Kanyakumari,
Kanyakumari District.

2.The Inspector of Police,
Suseenthiram Police Station,
Kanyakumari District.

3.Nagarajan

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, praying this Court to direct the second respondent not to harass the Petitioner without following the due process of law.

For Petitioner : M/s.M.Subash Babu

For Respondents : Mr.C.Ramesh
1 and 2 Addl. Public Prosecutor

O R D E R

This Criminal Original petition is filed for a direction to the second respondent not to harass the Petitioner without following the due process of law.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2 and perused the materials placed before this Court.

3.The case of the Petitioner is that he married one Sunitha and their marriage was solemnized on 13.7.2016 and the same was registered by the Thiruvattar Sub-Registrar Office on the same day. The marriage was not known to the parents of the Petitioner's wife. It appears that the father of the Petitioner's wife has given a complaint to the second respondent police



alleging that his daughter was kidnapped by the Petitioner. In connection with the said complaint, the Petitioner states that he was put to harassment.

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2, on instructions, submitted that the Petitioner though has produced a copy of Marriage Certificate, his wife did not come for the enquiry. Hence, the Petitioner's wife is directed to appear before the second respondent Police to give a statement in conformity with the Marriage Certificate.

5. With the above direction, the Criminal Original petition is closed, however, with an observation that the second respondent/Police shall not harass the Petitioner unnecessarily and if the presence of the petitioner is required for any enquiry, he will be called only after issuing summons prescribing date and time and in the manner prescribed in law.

Sd/-

Assistant Registrar (Crl. Side)

/True Copy/

Sub Assistant Registrar.

To

1. The Superintendent of Police,
Kanyakumari,
Kanyakumari District.

2. The Inspector of Police,
Suseenthiram Police Station,
Kanyakumari District.

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

+1CC to Mr. M. Subash Babu, Advocate, SR.No.67078

CRL.O.P. (MD) No.9381 of 2017
21.07.2017

vsn

AM/GT/SAR 1/01.08.2017/2P/5C