

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2018

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. No.12303 of 2018

Kamalammal

.. Petitioner

vs.

1.The Inspector of Police
M-7, Manali New Town Police Station
Manali, Chennai 600 103.

2.Muthulakshmi

.. Respondents

Criminal Original Petition filed under Section 482, Cr.P.C. to direct the 1st respondent police to offer adequate police protection for the petitioner to live in her house and prevent the trespass by the 2nd respondent and her henchmen.

For petitioner Mr.P.Udhayashankar
For R1 Mr.C.Raghavan
Government Advocate [Crl.Side]

ORDER

This Criminal Original Petition has been filed to direct the 1st respondent police to offer adequate police protection for the petitioner to live in her house and prevent trespass by the 2nd respondent and her henchmen.

2. Today, Mr.J.Anandarajan, Inspector of Police, Manali New Town Police Station, is present. On the directions of this Court, Muthulakshmi, the de facto complainant is also present.

3. It is the case of Muthulakshmi that she got married to Murugan and that after marriage, her husband and his family members inflicted cruelty on her. On the complaint of Muthulakshmi, a case in Cr.No.1 of 2013 was registered and after completing the investigation, the All Women Police Station, Ennore filed a charge sheet in C.C.No.127 of 2013 before the Judicial Magistrate No.II, Ponneri against Murugan and seven of his family members, including his grandmother Kamalammal. Even at the time of the prosecution, Kamalammal was aged 90 years. A

detailed trial was conducted in C.C.No.127 of 2013 and all the accused were acquitted by the learned Judicial Magistrate No.II, Ponneri on 23.01.2018, on the ground that the marriage between Murugan and Muthulakshmi was not proved. While so, now it is alleged by Kamalammal that Muthulakshmi is forcibly trying to enter the property and dispossess her. Muthulakshmi submitted that she has filed a petition for restitution of conjugal rights and the same is pending before Sub Court, Ponneri. Muthulakshmi has been advised to work out her remedies in the manner known to law and not to take law into her hands.

4. Under such circumstances, this Court directs the respondent police to give sufficient protection to the petitioner so that there is no further aggression, either from Muthulakshmi or from her family members.

Accordingly, this petition is ordered.

Sd/-
Assistant Registrar(Cs V)

//True Copy//

Sub Assistant Registrar

gms
To

1.The Inspector of Police
M-7, Manali New Town Police Station
Manali, Chennai 600 103.

2.The Judicial Magistrate No.II, Ponneri.

3.The Public Prosecutor
High Court, Chennai.

+1cc to M/s.P.Udhayashankar, Advocate Sr.No.40500

NRL(CO)
sm:12.7.2018

Cr1.O.P. No.12303 of 2018

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