

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.26799 of 2018

Ulagamathi

...Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Ariyalur District,
Ariyalur.

3.The Inspector of Police,
Irumbulikuluruchi,
Ariyalur District.

...Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, seeking a direction, to direct the respondents to give protection to the petitioner and her husband.

For Petitioner : M/s.Dr.S.Manoharan
For Respondents : Mr.C.Raghavan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking for police protection to the petitioner and her husband.

2.The learned counsel for the petitioner would submit that the petitioner and one Mani fell in love and the marriage was not approved by both the families. Therefore, the petitioner married the said Mani and the marriage was registered before the Joint Sub-Registrar-II, Cuddalore. The marriage took place on 09.11.2018. subsequent to the marriage, the petitioner and her husband are being threatened by the parents and relatives belonging to both sides and there is a potential threat to the life of the petitioner and her husband.

3. According to the learned counsel for the petitioner, the marriage in question is an inter caste marriage and the petitioners are facing potential life threat in the name of 'honour killing'. A complaint has been given to the respondent

police on 12.11.2018, independently by the petitioner as well as petitioner's husband and the same is pending and no action has been taken till today.

4. The learned Government Advocate (Criminal Side) would submit that based on the complaint given by the petitioner and her husband, the third respondent Police will call the parties and enquire the same and if requires, will also provide police protection to the petitioner and her husband.

5. It is seen from the records that the petitioner has married one Mani and the same has also been registered before the Joint Sub-Registrar-II, Cuddalore and the same is evidenced from the Certificate of Registration of Marriage issued by the appropriate authority. It is well within the rights of the petitioner to choose her partner. The parents belonging to both sides and also relatives do not have any right to interfere with the life of the petitioner. Since, the petitioner and her husband are facing the potential threat of 'honour killing', the third respondent ought to have taken immediate action in this regard and should not have waited for a direction from this Court.

6. In the facts and circumstances of the case, the third respondent Police is directed to immediately call the parties for enquiry and advise the offending parties not to interfere with the life of the petitioner and her husband. If in spite of the same, any of the parents or relatives, continue to interfere with the life of the petitioner and her husband, severe action may be taken against them in accordance with law. If there is potential life threat, the third respondent shall provide police protection to the petitioner and her husband.

7. This Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

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

2.The Deputy Superintendent of Police,
Ariyalur District,
Ariyalur.

3.The Inspector of Police,
Irumbulikuluruchi,
Ariyalur District.

4.The Public Prosecutor,
Madras High Court,
Chennai

+lcc to M/s.S.Lakshmi, Advocate sr.no.78586

CRL.O.P.No.26799 of 2018

nr 20/11/2018



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