



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Twenty Eighth day of August Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

WEB COPY

CRL MP (MD) .No.6694/2018

IN

CRL OP (MD) No.12485 of 2018

NADAR THOMAS JESVA CHIRSTOPHER @ CHIRSTOPHER

... Petitioner

Vs

1.THE STATE REP.BY

THE INSPECTOR OF POLICE,
VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
(CR NO.202 OF 2018)

...1st Respondents/Complainant

2 ISAKKIAMMAL

...2nd Respondents/ Defacto Complainant

3.MRS.IYYAMAL NAMBI

...3rd Respondents/Victim

Prayer in CRL MP (MD) . 6694/ 2018 :

Criminal Miscellaneous Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to modify the order with regard to appearance of the petitioner and 3rd respondent before the respondent police as per direction dated 25.07.2018 of this Honourable Court in Crl.OP(MD)No. 12485/18 as the petitioner and 3rd respondent feel insecure.

Prayer in CRL OP (MD) . 12485/ 2018 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court To call for the records in FIR in Crime No.202 of 2018 dated 02/06/2018 pending investigation on the file of the First respondent police and the Quash the same against the petitioner.

ORDER:

This Petition coming on for hearing on this day, upon perusing the affidavit and material papers filed, and upon hearing the arguments Of Mr.N.V.NAGENDRAN, Advocate for the Petitioner and of Mr.K.SUYAMBULINGA BHARATHI, Government Advocate (Criminal Side) on behalf of the 1st Respondent, this Court made the following order:



This petition has been filed to modify the condition imposed by this Court in CrI.O.P(MD).No.12485 of 2018 by an order dated 25.07.2018.

2.This Court directed the petitioner and the defacto complainant's daughter to appear before the first respondent police in order to give the statement and to enable the first respondent to complete the investigation and file a final report.

3.The present petition has been filed on the ground that the petitioner and the defacto complainant's daughter belongs to different caste and different religion and there is a potential threat to the life of the petitioner. Both the petitioner and the defacto complainant's daughter appeared before the Court today (ie., 28.08.2018). Both of them submitted that they have been getting threatening calls from the side of the defacto complainant and the moment they step in to Tirunelveli, there is a potential life threat.

4.This Court is prima facie convinced that the petitioner and his wife are facing a potential threat. Ultimately, the first respondent has to enquire the petitioner in the course of investigation and he has to take the statement of the petitioner. Therefore, in order to ensure the life and safety of the petitioner and at the same time in order to ensure that the first respondent proceeds further with the investigation, the petitioner and the defacto complainant's daughter are directed to appear before the Tamil Nadu Mediation and Conciliation Centre, attached to this Bench, on 04.09.2018 at 03.30 pm. The first respondent shall question the petitioner and the defacto complainant's daughter and take statements from them. Thereafter, the first respondent shall proceed further to file the final report as directed by this Court in CrI.O.P(MD).No.12485 of 2018.

5.The condition imposed in CrI.O.P(MD).No.12485 of 2018 shall stand modified to the extent indicated above.

6.The Criminal Miscellaneous Petition is disposed of with the above modification.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-I)



TO

1. THE INSPECTOR OF POLICE,
VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE OFFICER IN CHARGE,
TAMILNADU MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER DATE: 28.08.2018

ORDER

CRL MP (MD) .No.6694/2018
IN
CRL OP (MD) No.12485 of 2018

Giving Directions etc., as
stated within.

DS KAK SAR-1 :03.09.2018: 3P/4C