



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.14603 of 2018

1.Siva Darshan
2.P.Palaniappan
3.Rajakumari

...Petitioners

Vs.

1.The Inspector of Police,
Vilakuthoon Police Station,
Madurai.

2.Surekha
3.V.Samraj

...Respondents/ Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the first respondent police not to harass the petitioners in the guise of enquiry.

For Petitioners : Mr.P.Samuel Gunasingh

For R-1 : Mr.M.Chandra Sekaran,
Additional Public Prosecutor.

For R-2 : Mr.R.Niresh Kumar

O R D E R

The Criminal Original Petition has been filed to direct the first respondent police not to harass the petitioners in the guise of enquiry.

2.The first petitioner is the son and the second and third petitioners are the parents. The first petitioner and the second respondent developed relationship with each other and decided to get marry and the second and third petitioners also gave their consent for the said marriage. Further, since the second respondent belongs to different community, the parents of the second respondent refused to give consent for the marriage. Against the wish of the parents, the second respondent married the first petitioner on 14.08.2018 and the same was registered before the Registrar Office, Kuralagam, Chennai.



3.The parents of the second respondent had given a complaint before the first respondent to the effect that the first petitioner has kidnapped the second respondent. The first respondent police had called for enquiry and the first petitioner and the second respondent had appeared before the first respondent police and also produced a copy of the receipt of marriage Registration Certificate. Even thereafter, the first respondent kept calling the first petitioner and his parents to the police station. Aggrieved by the same, the present petition has been filed.

4.Mr.R.Niresh Kumar, learned counsel appearing for the second respondent has filed an affidavit sworn by the second respondent in which the second respondent has categorically stated that she had legally married the first petitioner on 14.08.2018 and the same was also registered and she is living with the first petitioner happily.

5.Mr.M.Chandra Sekaran, learned Additional Public prosecutor appearing for the first respondent would submit that the third respondent, who is father of the second respondent has given a complaint to the first respondent to the effect that the second respondent has taken an educational loan from the Bank and she has not repaid the said loan and the Officers belonging to the Bank are pressurising the third respondent to pay the loan. Therefore, the third respondent had given a complaint before the first respondent.

6.Insofar as the settlement of loan to the Bank is concerned, it is the responsibility of the second respondent to repay the same. The second respondent cannot burden the third respondent by exposing him to the Officers of the Bank. The learned counsel for the second respondent has undertaken that the educational loan that was taken by the second respondent will be repaid by the second respondent and the third respondent will not be put to hardship in this regard. The said undertaking is recorded by this Court.

7.The Petitioners shall not be called to the police station by the first respondent based on the complaint given by the third respondent, in view of the undertaking given by the learned counsel for the second respondent.

8.With the above observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Records)

// True Copy //



1.The Inspector of Police,
Vilakuthoon Police Station,
Madurai.

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

+1 cc to MR.P.SAMUEL GUNASINGH, Advocate Sr.No.78777

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