



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2019

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Cr1.O.P.(MD)No.5662 of 2019

1.Karthiswari
2.R.Hashini

... Petitioners

Vs.

1.The State of Tamilnadu rep. through its
The Superintendent of Police,
Madurai District,
Madurai.

2.The Inspector of Police,
Nagamalai Pudukottai Police Station,
Nagamalai Pudukottai,
Madurai District.

3.K.Ravi
4.R.Athilakshmi
5.M.Balaji
6.R.Chitra

... Respondents

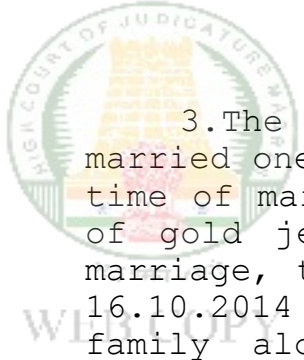
Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., directing the respondents to grant police protection for the Life and Limb of the petitioners' and her family members within the time stipulated by this Court.

For Petitioners : Mr.P.M.Vishnuvarthanan
For R1 and R2 : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Cr1. Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the respondents to grant police protection for the life and limb of the petitioners' and her family members.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal side) appearing for the



3.The case of the petitioners is that the first petitioner married one Raja. The marriage was solemnized on 15.09.2013. At the time of marriage, the first petitioner's parents gave 43 sovereigns of gold jewels and house hold articles as Sridhana. After the marriage, they blessed with one female child viz., R.Hashini born on 16.10.2014 and the first petitioner lived with her husband as joint family along with the other family members. Thereafter, on 02.07.2018, the first petitioner's husband died on suspicious death by hanging in their home. At the time of his death, the first petitioner stayed in her parents house. After knowing the same, the first petitioner went to her husband house and performed his last rituals. Thereafter, for the safety of the first petitioner, there was a Promise Deed executed in favour of the first petitioner by her husband's parents and they agreed to return her articles as Sridhana. Thereafter, they failed to comply with the promise deed and also threatened her and hence, the first petitioner lodged a complaint before the second respondent on 03.04.2019 through RPAD. However, the complaint was not processed. Again the first petitioner gave another complaint, dated 09.04.2019 and the same was received by the second respondent on 10.04.2019. Since no action was taken, the petitioners filed this Criminal Original Petition under Section 482 of Cr.P.C. seeking police protection.

4.The learned counsel appearing for the petitioners would submit that since the private respondents 3 to 6 failed to return the house hold articles as well as Sridhana and also threatened the petitioners, the petitioners seek police protection.

5.The learned Government Advocate (Criminal side) appearing for the State would submit that the first petitioner made a representation only on 09.04.2019 and the same was received. Before initiating the proceedings, the petitioners approached this Court. Therefore, he seeks time to conduct investigation and decide the matter.

6.On perusal of the records, it reveals that the first petitioner lodged a complaint before the second respondent only on 09.04.2019. Since it is a family dispute, without approaching the appropriate forum, filing petition for police protection before this Court is unsustainable one. However, the second respondent police is agreed to take up the complaint as per law.

7.Recording the said submission made by the learned Government Advocate (criminal side), no further orders required in this case. Hence, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CO)

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To

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

2. The Inspector of Police,
Nagamalai Pudukottai Police Station,
Nagamalai Pudukottai, Madurai District.

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

+1cc to Mr. P. M. Vishnuvarthanan, Advocate, SR.No.61673

Crl.O.P. (MD) No.5662 of 2019

SP/29.04.2019/ 3P/5C