



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K. ILANTHIRAIYAN**

Crl.O.P. (MD) No.15057 of 2019

WEB COPY

Joe Anto Rakesh

... Petitioner/
Husband of the Detenue

Vs

1. The Superintendent of Police
Tirunelveli District, Tirunelveli

2. The Inspector of Police
Kalakkadu Police Station
Tirunelveli District

3. Jesuraj Boopalrayan

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondents 1 and 2 to secure the Petitioners wife namely Mithunya W/o. Joe Anto Rakesh aged about 27 years and the unnamed child aged about 1 years from the illegal custody of the 3rd respondent.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.K.Suyambulinga Bharathi
No.1 & 2 Government Advocate (Crl. side).

ORDER

This Criminal Original Petition has been filed seeking a direction to direct the respondents 1 and 2 to secure the Petitioners wife namely Mithunya W/o. Joe Anto Rakesh aged about 27 years and the unnamed child aged about 1 years from the illegal custody of the 3rd respondent.

2. The marriage with the petitioner and one Mithunya was solemnized on 23.11.2017 and the same was registered on 31.01.2018 before the Sub Registrar of Marriage, Thoothukudi Keezhur. Since daughter of the third respondent married with another caste person, the third respondent objected the same. Now the wife of the petitioner and his daughter is missing and as such he lodged a complaint and the same was refused to receive by the concerned jurisdictional police. Therefore he send the complaint through registered post to the Superintendent of Police, Thoothukudi.

3. The learned Government Advocate (Crl.Side) would submit that

<https://hcservices.ecourts.gov.in/hcservices/>



no complaint was received by the first and second respondents herein.

4. Considering the facts and circumstances of the case, the petitioner is directed to lodge a fresh complaint before the second respondent and the second respondent on receipt of the same is directed to conduct enquiry and pass orders of merits and in accordance with law.

5. With the above direction, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police
Tirunelveli District, Tirunelveli
2. The Inspector of Police
Kalakkadu Police Station
Tirunelveli District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.T.LENIN KUMAR, Advocate Sr. No. 93641

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mr(CO)
TR(05.11.2019) 2P 5C