



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.01.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.628 of 2020

1. G.Kuralarasan
2. C.Thenmozhi

... Petitioners

Vs.

1. The Superintendent of Police,
Kallakurichi District,
Kallakurichi.
2. The Inspector of Police,
Kachirapalayam Police Station,
Kallakurichi Taluk,
Kallakurichi District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents to provide police protection to the petitioners to live in their matrimonial home at No.A/A, Nadu Theru, Eduthavainatham Village and post, Kallakurichi Taluk, Kallakurichi District.

For Petitioners : Mr.A.Ramesh

For Respondents : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondents to provide police protection to the petitioners to live in their matrimonial home.

2. The petitioners are husband and wife. They have married under the Special Marriage Act on 15.07.2019 in the presence of elders and relatives in the locality.

3. The parents of the second petitioner and their relatives are now causing threat to the petitioners and they are bent upon breaking the marriage.



4. The petitioners have given a representation on 18.07.2019 to the respondents seeking for police protection apprehending danger to their life. Since, no action has been taken on the representation made by the petitioners, the present petition has been filed before this court seeking for police protection.

5. The learned counsel for the petitioners relied upon the judgment of the Hon'ble Supreme Court in Lata Singh Vs.State of U.P and another reported in (2006) 5 SCC 475, wherein the Hon'ble Supreme Court has made it clear that no one can be subjected to any threat, harassment or violence, in the case of inter-caste marriage and it is a freedom of adults to marry a person of one's own choice outside one's cases. The said judgment squarely applies to the facts of the present case. No one has a right to interfere with the life of the petitioners and the parents of the second petitioner does not have a right to cause threat to the petitioners.

6. The petitioners have already submitted a representation to the respondent police. The second respondent is directed to consider the petitioners' representation dated 18.07.2019 after giving an opportunity to the petitioners to put forth their case and dispose of the same in accordance with law within a week from the date of receipt of a copy of this order.

7. With the aforesaid directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

Vv

To

1. The Superintendent of Police,
Kallakurichi District, Kallakurichi.
2. The Inspector of Police,
Kachirapalayam Police Station,
Kallakurichi Taluk, Kallakurichi District.

CRL.O.P.No.628 of 2020

VSN II (CO)
GMY (11/02/2020)