



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.11512 of 2021

Kaviya

...Petitioner

Versus

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

2. The Inspector of Police,
Kunrathur Police Station,
Kancheepuram District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent not to harass the petitioner in the name of enquiry.

For Petitioner : Mr.J.Milton Arul Rajendran

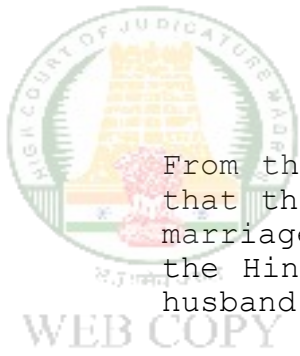
For Respondents : Mr.E.Raj Thilak,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the 2nd respondent Police not to harass the petitioner under the guise of enquiry.

2.The petitioner had married one Balasubramani, who hails from Perambalur District. The petitioner is a graduate and aged about 21 years and her husband Balasubramani is aged about 27 years. Since it is an intercaste love marriage, the parents of the petitioner opposed the same and lodged a complaint to the 2nd respondent Police, which was registered in Crime No.548 of 2021. For enquiry, the petitioner was called.

3.The contention of the petitioner is that since it is the intercaste love marriage, the parents of the petitioner was not accepting the same. The petitioner is a major. To prove the same, she produced the school certificate, the statement sent to the 2nd respondent on 16.06.2021 along with her marriage photos.



From the statement sent to the 2nd respondent Police, it is seen that the petitioner had voluntarily joined Balasubramani and the marriage had taken place in Murugan Temple at Chettikulam as per the Hindu Rites and Customs and now, they are living happily as husband and wife.

4.The learned Government Advocate (Crl. Side) appearing on behalf of the respondents submitted that the 2nd respondent registered a case in Crime No.548 of 2021 on 13.06.2021 on the complaint given by the parents of the petitioner. During enquiry, the petitioner informed that she voluntarily left her parents and married Balasubramani. Further, the petitioner sent her statement, school certificate and the marriage photographs to the 2nd respondent Police.

5.It is seen from the statement sent to the 2nd respondent Police, the petitioner had voluntarily joined Balasubramani and the marriage had taken place in Murugan Temple at Chettikulam as per the Hindu Rites and Customs and now, they are living happily as husband and wife.

6.In view of above, the 2nd respondent Police is directed not to unnecessarily harass the petitioner. Since it is an intercaste love marriage, fear of honour killing is very much there. The petitioner now disclosed her present address in Perambalur District. The 2nd respondent Police is directed to verify either directly or through the jurisdictional Police whether the petitioner attained major; whether the marriage had taken place on her own will; whether she is now living happily or not. After verification of the same, the 2nd respondent to complete the investigation in Crime No.548 of 2021 and file a report before the Jurisdiction Court, without delay preferably within a period of one month.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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



2. The Inspector of Police,
Kunrathur Police Station,
Kancheepuram District.

3. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.11512 of 2021

RSV (CO)
RGA (23/07/2021)