



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.11897 of 2021
and
Crl.M.P.No.6754 of 2021

Rani

... Petitioner

Versus

1.The Superintendent of Police
Villupuram
Office of Superintendent of Police
Villupuram.

2.State rep.by
Inspector of Police
All Women Police Station
Villupuram.

3.Mrs.Kavitha
Inspector of Police
All Women Police Station
Villupuram.

4.Shanmugapriya

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to pass appropriate direction directing the respondents 2 and 3 not to harass the petitioner and his family members by interfering in the matrimonial dispute pending before this Court in CMA.SR.No.47337 of 2021 filed as against HMOP.No.9 of 2018 on the file of the Family Court, Villupuram, by compelling the petitioner to give accommodation/residence to the fourth respondent.

For Petitioner : Mr.A.Tamilvanan

For Respondents: Mr.E.Rajthilak for R1 & R2
Government Advocate (Crl.Side)

ORDER

This petition has been filed to pass appropriate direction directing the respondents 2 and 3, not to harass the petitioner



and his family members by interfering in the matrimonial dispute pending before this Court in CMA.SR.No.47337 of 2021 filed as against HMOP.No.9 of 2018 on the file of the Family Court, Villupuram, by compelling the petitioner to give accommodation/residence to the fourth respondent.

2. The petitioner herein states that the fourth respondent was married to the petitioner's son Arulraj on 19.03.2014. After a short span of matrimonial life, the fourth respondent started to behave cruelly with the petitioner's son and the family members and hence, the petitioner's son took her to Singapore, where he is working. Even there also, she behaved cruelly, hence the petitioner's son Arulraj filed HMOP.No.9 of 2018 on the file of the Family Court, Villupuram. Thereafter, the fourth respondent has lodged a complaint to the second and third respondents claiming right over the petitioner's house and also stated that the petitioner is harassing her. Though a matrimonial dispute is pending before this Court, the respondent Police is hand in glove with the fourth respondent started humiliating and harassing the petitioner and his family members. Hence, she filed this petition not to harass.

3. In view of the same, the second and third respondents are directed to not to call the petitioner for any enquiry and if the second and third respondents feels that her presence is absolutely necessary, prior notice should be issued, visit the house of the petitioner and record her the statement if needed. It is the further contention that the second and third respondents at the instance of the fourth respondent is forcing the petitioner to give accommodation to the fourth respondent. Admittedly, the fourth respondent from the year 2018 has been living with her parents. Hence, in this case undue process and threat given by the second and third respondents are unwarranted.

4. This Criminal Original Petition is disposed of with the above directions. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dna



To

1.The Superintendent of Police
Villupuram
Office of Superintendent of Police
Villupuram.

2.The Inspector of Police
All Women Police Station
Villupuram.

3.The Public Prosecutor,
High Court, Madras.

Copy to
The Judge,
Family Court, Villupuram.

+1cc to Mr.A.Tamilvanan, Advocate, S.R.No.32715

CRL.O.P.No.11897 of 2021
and
CrI.M.P.No.6754 of 2021

RSV(CO)
B.VC(19/08/2021)