



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.16666 of 2021

and

CRL.M.P.No.9096 of 2021

K.Ellappan @ Ajay Sathya,
S/o. Karunagaran

... Petitioner

Versus

1.The State rep.by its
The Inspector of Police,
W-29, AWPS Avadi Police Station,
Chennai.

2. K.Kavitha
W/o. Ellappan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the Crime No.18 of 2021 and quash the Crime No.18 of 2021, on the file of W-29, AWPS Avadi Police Station, Chennai.

For Petitioner : Mr.B.Raja

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor
for R1

ORDER

(This case has been heard through video conference)

The petitioner/1st Accused in Crime No.18 of 2021 for an offence under Section 294(b), 498(A) & 506(i) of IPC has filed the above petition.

2. The defacto complainant is none other than the petitioner's wife and there seems to be serious allegations made by the petitioner against the character of his wife. Further, suppressing the earlier marriage, the defacto complainant said to have lured the petitioner to marry her. Further, the petitioner also filed a petition for restitution of conjugal



rights before the concerned family court. Both of them lodged the earlier complaint and C.S.R. Number was assigned. In this case, F.I.R. was registered finding that some serious allegations about the moral character of both petitioner as well as defacto complainant and it is the matrimonial dispute.

3. In view of the same, this Court directs the District Social Welfare Officer, Thiruvallur to conduct mediation and to take steps to resolve the dispute between the petitioner and the defacto complainant. Thereafter, to send a report to the respondent police. In case of failure of mediation and the report of the Social Welfare Officer indicates commission of cognizable offence, the respondent police to proceed accordingly. Till the completion of the enquiry and mediation by the Social Welfare Officer, the respondent police not to take any coercive action.

4. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected Criminal Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpp/nr

To

1. District Social Welfare Officer, Thiruvallur
2. The Inspector of Police,
W-29, AWPS Avadi Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

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PCH(CO)
CT/13/10/2021