

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.18120 of 2020

S.Mohana

...Petitioner

.Vs.

1. The Superintendent of Police,
Chengalpattu District,
Chengalpattu.
2. The Deputy Superintendent of Police,
Mamallapuram Circle,
Mamallapuram,
Chengalpattu District.
3. The Inspector of Police,
Thirukazhukundram Police Station,
Chengalpattu District.
4. Shanmugam
5. Vijaya Kumar

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to give police protection to the petitioner and her husband's family from the 4th and 5th respondent and their men on the represented dated 30.10.2020.

For Petitioner	: Mr.D.Ashokkumar
For RR 1 to 3	: Mr.M.Mohamed Riyaz
	(Crl.Side)
	Additional Public Prosecutor
For R 4 & R 5	: No Appearance

O R D E R

This Criminal Original Petition has been filed for police protection to the petitioner and her husband based on the complaint given by the petitioner on 30.10.2020.

2.The learned counsel for the petitioner submitted that the petitioner fell in love with one Hemachandran who belongs to scheduled caste community. Thereafter, both of them got married on 31.08.2020 and the same was registered on the file

of the Sub Registrar , Thiruvallur. The grievance of the petitioner is that her father and uncle, who are the 4th and 5th respondents herein, are threatening the petitioner and her husband since they are opposed their intercaste marriage. The learned counsel submitted that inspite of the complaint given by the petitioner, the respondent Police has not taken any action till date and left with no other option, the present petition has been filed seeking for police protection.

3.Heard Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for respondents 1 to 3.

4.The petitioner who is a major has on her own volition decided to marry one Mr.Hemachandran, who belongs to schedule caste community. The petitioner is entitled to take such a decision and even though it may not be to the liking of the 4th and 5th respondents, that does not give any authority to the 4th and 5th respondents to threaten the petitioner and her husband. It has been time and again held by the Hon'ble Supreme Court and this Court that such threatens should never be tolerated and any complaint given by the police will have to be acted upon at the earliest. Sometimes delay in acting upon such complaints, leads honour killing. Therefore, the police are expected to act upon such complaints with alacrity to prevent any untoward incidents.

5.In view of the above, there shall be a direction to the 2nd respondent viz., the Deputy Superintendent of Police, Chengalpattu, to immediately act upon the complaint given by the petitioner and call the 4th and 5th respondents for an inquiry and instruct them not to interfere with the life of the petitioner and her husband. If inspite of the same, any threat is exerted by the 4th and 5th respondents, necessary action shall be taken in accordance with law. It will also be open to the 2nd respondent to provide police protection to the petitioner and her husband. The petitioner is directed to make a fresh representation to the 2nd respondent along with all the relevant documents and also a copy of this order.

This criminal original petition is disposed of with the above directions.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

kp

To

1. The Superintendent of Police,
Chengalpattu District,
Chengalpattu.
2. The Deputy Superintendent of Police,
Mamallapuram Circle,
Mamallapuram,
Chengalpattu District.
3. The Inspector of Police,
Thirukazhukundram Police Station,
Chengalpattu District.
4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.18120 of 2020

vsn-ii (CO)
rv (29/01/2021)