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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2021

CORAM:

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL.O.P.NO.24800 OF 2021

AND

CRL.M.P.NO.13685 OF 2021

P.Arun

.. Petitioner

/versus/

1.The State Rep.by
Inspector of Police,
All Woman Police Station,
Saidapet, Chennai.

2.Mrs.V.Saranya

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to call for the records in Crime No.6 of 2021 on the file of All Woman Police Station, Saidapet and to quash the same.

For Petitioner : Mr.M.Aswin

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor
for R1

ORDER

This Criminal Original Petition has been filed seeking to call for the records in Crime No.6 of 2021 on the file of All Woman Police Station, Saidapet, Chennai and to quash the same.



2.The allegations made in the First Information Report are that the petitioner is the husband of the defacto complainant. The defaco complainant had lodged a complaint stating that the petitioner has illegally married the respondent before the Sub Registrar Office, Cuddalore, before whom the marriage was also registered. Thereafter, by demanding money, he is threatening her and also sending obscene messages in the social media and the relatives of the second respondent. Aggrieved by that, she lodged a complaint before the All Women Police Station, Vandavasi. Pending the complaint, again, he is sending obscene messages in the social media and also to relatives, threatening her that he will create problems in her job by influencing his position. Hence, she lodged a complaint before the first respondent police and the same was registered in Crime No.6 of 2021. Aggrieved by that, the petitioner has filed this petition.

3.The learned counsel appearing for the petitioner submitted that the petitioner is working as a Manager in a Private Firm and the respondent is working as a Forest Guard in Chennai. The petitioner married the respondent before the Sub Registrar Office, Cuddalore. After lodging the complaint, the petitioner has filed a petition in H.M.O.P.No.77 of 2021 on the file of the Family Court, Cuddalore for restitution of conjugal rights. Immediately, by influencing her position, she lodged a First Information Report by making false allegations. Further more, there was no material ingredients to attract the offences alleged by the prosecution. Hence, the petitioner has filed this petition for the aforesaid prayer.

4.The learned Additional Public Prosecutor appearing for the first respondent submitted that out of compulsion, the petitioner forced the respondent to the registered marriage. Subsequently, through phone she was harassed by the petitioner besides sending false and obscene messages to the social media and also her relatives. Hence, she lodged a complaint before the respondent police.

5.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent and also perused the materials available on record.

6.Considering the allegations leveled against the petitioner in the First Information Report, which needs a detailed investigation, I do not find any irregularities in lodging the First Information Report. However, it is made clear that the petitioner has to work out his remedy before the appropriate Forum.



7. Accordingly, this Criminal Original Petition is dismissed as devoid of merits. Consequently, connected Miscellaneous Petition is closed.

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Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
All Woman Police Station,
Saidapet, Chennai.
2. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.M.Aswin, Advocate, S.R.No.69396

Cr1.O.P.No.24800 of 2021

VSNII(CO)
RLP(06/01/2022)