



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2021

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P. (MD)No.17306 of 2021

WEB COPY

1. Kaviya
2. Sathish

... Petitioners

Vs.

1. The Director General of Police,
Radhakrishnan Salai,
Mylapore,
Chennai - 600 004.
2. The Superintendent of Police,
Thanjavur District Superintendent Office,
Thanjavur District.
3. The Deputy Superintendent of Police,
Pattukottai Town police station,
Thanjavur District.
4. The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
5. Panchatcharam

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct respondents 1 to 4 to provide adequate police protection to the petitioners.

For Petitioners : Mr.K.Selvaraj

For R-1 to R-4 : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

For R-5 : Mr.K.Mahendran

O R D E R

Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for respondents 1 to 4.

2. The petitioners have filed this criminal original petition seeking grant of police protection. The wife of the fifth respondent herein who is none other than the mother of the first petitioner herein is the defacto complainant in Crime No.611 of 2021 registered



on the file of the fourth respondent for the offences under Sections 147, 148, 448, 294(b), 427, 324, 365 and 307 of I.P.C.

3. According to the defacto complainant, on 29.10.2021 at around 5.00 p.m., when she was with her daughter in her house, the accused forcibly entered the house and attacked her and abducted the first petitioner. The second petitioner has since filed a petition for anticipatory bail and it is still pending. In the said anticipatory bail, the defacto complainant had also filed an intervention application. At this stage, this criminal original petition came to be filed for police protection.

4. The first petitioner stated before this Court that she got married to the second petitioner and that she has not been abducted. Therefore, I directed both the petitioners to appear in person before this Court. Today the first petitioner, namely, Kaviya appeared before me in person. The fifth respondent who is the father of the first petitioner is also present in person before me. I called upon the two to have a word with each other. The first petitioner has clearly and categorically stated that she wants to live only with the second petitioner who is now her husband and she does not want to go back to her parents. She also stated that she was not abducted by the second petitioner and his friends. Since such a categorical statement made by the first petitioner before me, the fourth respondent is directed to file an alteration report for dropping the offence under Section 365 of I.P.C. The investigation can go on in respect of the other offences.

5. The petitioners inform the Court that their marriage was solemnised on 17.01.2021. The marriage certificate has also been enclosed in the typed set of papers. Since the petitioners are adults, it is expected that the fifth respondent does not interfere in their lives. If the fifth respondent acts illegally against the petitioners herein, it would be open to the petitioners to lodge a complaint before the respondent police who would be obliged to act in accordance with law.

6. The second petitioner was directed to appear before this Court and he was specifically granted interim protection against arrest. Since his petition for anticipatory bail is still pending, such protection earlier granted will continue for ten more days. I must observe that grant of extension of interim protection will not be taken advantage by the second petitioner before the Court in which the anticipatory bail is taken up for consideration.

7. This criminal original petition is disposed of.

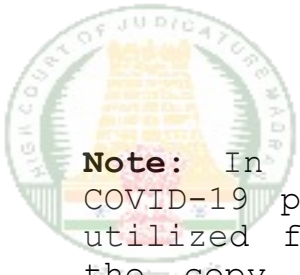
Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Director General of Police,
Radhakrishnan Salai,
Mylapore,
Chennai - 600 004.
2. The Superintendent of Police,
Thanjavur District Superintendent Office,
Thanjavur District.
3. The Deputy Superintendent of Police,
Pattukottai Town police station,
Thanjavur District.
4. The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K. MAHENDRAN, Advocate (SR-34697[F] dated 16/11/2021)
Crl.O.P.(MD)No.17306 of 2021
16.11.2021

MGJ(01.12.2021) 3P 7C