



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P (MD)No.20031 of 2021

WEB COPY
Sakthivel

... Petitioner

Vs

State rep. by

1.The Superintendent of Police,
Pudukkottai, Pudukkottai District.

2.The Inspector of Police,
Thirugokarnam Police Station,
Pudukkottai,
Pudukkottai District.

3.Vellaisamy

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the second respondent to give adequate police protection to the life and limb of the petitioner and his family members on the basis of his representation dated 12.12.2021.

For Petitioner : Mr.G.Mathavan
For R1 & R2 : Mr.M.Sakthi Kumar
Government Advocate (Crl.side)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for R1 & R2. Considering the nature of relief to be granted, issuance of notice to the third respondent is dispensed with.

2. The petitioner belongs to pallar community. It is a notified scheduled caste. The petitioner's son Nageshwaran fell in love with Devika daughter of the third respondent herein. The third respondent herein belong to Kallar Community. The petitioner's son and the third respondent's daughter got married to each other on 04.09.2019 at Sri Vinayagar Alayam, Pulimandapam Main Road, Srirangam, Trichy-620006. It was also registered on 24.09.2019 in Srirangam Sub Registrar Office. The jurisdictional Tahsildhar has also issued the inter-caste marriage certificate on 24.01.2020. The couple had got married and also registered their marriage by drawing inspiration from the film Alaipayuthey. This fact came to the



knowledge of the girl's parents only recently. The third respondent's daughter has left her home and her whereabouts are currently not known. Therefore, the third respondent lodged a complaint before the second respondent leading to registration of Crime No.780 of 2021. The petitioner's son is also not available. In these circumstances, the petitioner fears for the life and limb of himself and his family members. He gave a representation dated 12.12.2021 in this regard. Since no response was forthcoming, this Criminal Original Petition came to be filed.

3. I can take judicial notice of the fact that honor killings have taken place in the past. The petitioner belongs to SC community, while the third respondent belongs to MBC community. Therefore, the apprehensions of the petitioner cannot be casually brushed aside. The Hon'ble Apex Court has observed on more than one occasion that we must strive for a casteless society and that inter-caste marriages are the only way forward. Therefore, the respondents 1 and 2 are directed to ensure that no harm falls on the petitioner or his family members. Appropriate steps will be taken and the safety of the petitioner and his family members including that of the couple will be ensured at any cost. Appropriate undertaking will be obtained from the third respondent also. The petitioner will co-operate with the second respondent so as to cause production of his son and the third respondent's daughter. If the second respondent is satisfied that the petitioner's son and the third respondent's daughter are living together on their own and that the daughter of the third respondent has not been abducted, FIR itself shall be closed as 'action dropped'.

4. With this direction to R1 & R2, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Superintendent of Police,
Pudukkottai, Pudukkottai District.

2.The Inspector of Police,
Thirugokarnam Police Station,
Pudukkottai,
Pudukkottai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) No.20031 of 2021
16.12.2021

MGJ(29.12.2021) 3P 4C