



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2021

CORAM :

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.20625 of 2021

Vino

... Petitioner

Vs.

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

2.The Assistant Superintendent of Police,
Valliyoor,
Tirunelveli District.

3.The Deputy Superintendent of Police,
Valliyoor,
Tirunelveli District.

4.The State Rep. by
The Inspector of Police,
Radhapuram Police Station,
Radhapuram,
Tirunelveli District.

5.Sripal,
Head Constable,
Radhapuram Police Station,
Radhapuram,
Tirunelveli District.

6.Almighty Arise Shiny

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents 1 to 5 for not harassing the petitioner for the purpose of marrying the 6th respondent by the petitioner forthwith against his wish and pleasure.

For Petitioner	:	Mr.S.Palani Velayutham
For Respondents	:	Mr.M.Sakthi Kumar, Govt. Advocate (Crl. Side) for R1 to R5



O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents 1 to 5. Considering the nature of the relief to be granted, issuance of notice to six respondent is dispensed.

2.The petitioner along with two others had earlier filed Crl.O.P.(MD)No.19044 of 2021 seeking similar relief. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that the complaint given the sixth respondent herein was enquired into and closed on 12.07.2021. Recording the said submission, the said criminal original petition was disposed of.

3.The learned counsel for the petitioner complains that after making such submission, the respondent police are once again summoning the petitioner to the police station.

4.In response thereto, the learned Government Advocate (Crl. Side) submitted that the earlier complaint was closed in view of the petitioner's undertaking to marry the sixth respondent herein and since the petitioner went back on his undertaking, a second complaint has been received from the sixth respondent and that it is being enquired into.

5.In these circumstances, the following directions are issued:-

(i) The petitioner will be summoned only by way of written summon. There is no question of orally summoning the petitioner.

(ii) The respondent police will conclude the enquiry on merits and in accordance with law within a period of two weeks after the appearance of the petitioner.

(iii) If the matter is purely civil in nature, the respondent police will close the complaint.

(iv) If cognizable offence is made out and if the respondent police proposes to register any FIR, the petitioner will be given due notice. So that the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail.

6.I make it clear that whether to marry the sixth respondent or not is left to the choice of the petitioner. It is not open to the respondent police to compel him to adopt a particular course of action.



7.With the aforesaid observations and directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (Records)

// True Copy //

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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,
Tirunelveli District,
Tirunelveli.
- 2.The Assistant Superintendent of Police,
Valliyoor,
Tirunelveli District.
- 3.The Deputy Superintendent of Police,
Valliyoor,
Tirunelveli District.
- 4.The Inspector of Police,
Radhapuram Police Station,
Radhapuram,
Tirunelveli District.

Copy to

The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

Crl.O.P (MD) No.20625 of 2021
23.12.2021

SR (CO)

KB (07.01.2022) 3P 6C