



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.No.26655 of 2021

Vigneshwaran

...Petitioner

Versus

- 1.The Director General of Police,
Office of DGP,
Mylapore, Chennai - 04.
- 2.The Superintendent of Police,
Office of Superintendent of Police,
Krishnagiri.
- 3.The Deputy Superintendent of Police,
Krishnagiri Subdivision,
Gandhi Road, Krishnagiri.
- 4.The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri.
- 5.The Inspector of Police,
All Women Police Station Krishnagiri,
Krishnagiri.
- 6.The Inspector of Police,
Sooramangalam Police Station,
Salem.
- 7.The Sub Registrar Joint I,
Office of Sub Registrar,
Krishnagiri.

8.Kaniyamuthan @ Krishnan

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the first Respondent to transfer the investigation pending on the file of the 5th respondent to any other investigation agency out of Krishnagiri to investigate the case impartially.



WEB COPY

For Petitioner : Mr.N.R.Elango
for Mr.M.Govindaraju

For R1 to R7 :Mr.E.Raj Thilak
Additional Public Prosecutor

For R8 :Mr.S.Nambirajan

ORDER

This petition is filed for the issuance of a Writ of mandamus, directing the first Respondent to transfer the investigation pending on the file of the 5th respondent to any other investigation agency out of Krishnagiri to investigate the case impartially.

2. The contention of the petitioner is that the petitioner hails from Salem, his father passed away long back, his mother is a Nurse and his sister married and got settled. During his studies in Loyola College, the petitioner came in contact with one Sathyapriya and they became friends. Sathyapriya's father is the District Secretary of Viduthalai Siruthaigal Katchi, Krishnagiri District. Thereafter, the petitioner studied M.B.A and got employed and doing work at Chennai. One of his friend informed that Sathyapriya was not well, the petitioner along with classmates used to visit Sathyapriya often regularly, which was misunderstood by Sathyapriya that the petitioner was interested in her. The petitioner was forcibly kidnapped taken to a place at Krishnagiri where a marriage drama took place and thereafter, it was shown as marriage registered with the authorities. Immediately, the petitioner sent representation to the Registration Authorities and others to cancel the forced marriage. The petitioner and his family members are put to untold sufferings due to the eight respondent's political influence. The petitioner fears that his life is under threat and he would not get justice at Krishnagiri District since the eighth respondent is having political influence at Krishnagiri.

3. Learned counsel appearing for the eighth respondent refuted the same, produced photographs of the petitioner with the said Sathyapriya, in happy moments receiving gifts in their Reception event. He further submitted that they were in love with each other for several years. During this period they had physical relationship and thereafter, marriage was conducted. For some reason now, the petitioner is avoiding Sathyapriya



which was questioned by eighth respondent and the same is given a political colour. The petitioner is attempting to wriggle out of the situation leaving the victim girl Sathyapriya in lurch.

4. The learned senior counsel submitted that the petitioner had sent a representation on 28.11.2021 to the first respondent and the eighth respondent had given representation on 26.10.2021 to the second respondent. Learned Senior counsel for the petitioner and eighth respondent agree that the petition can be enquired by Superintendent of Police, Krishnagiri, to avoid unnecessary pressure.

5. In view of the same, this Court directs the Superintendent of Police, Krishnagiri, to conduct enquiry on the petitioner's representation dated 28.11.2021 and the eighth respondent's complaint dated 26.10.2021 and dispose of the same on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order. It is made clear except the petitioner and the parties concerned to the complaint, no other person to accompany them and create surcharge atmosphere during enquiry. The said enquiry has to be conducted by the Superintendent of Police, Krishnagiri and no other officer, in the guise of enquiry, to harass the petitioner's family or the eighth respondent's family. The outcome of the enquiry shall be informed to the petitioner and the eighth respondent.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

jas/bkn

To

1.The Director General of Police,
Office of DGP,
Mylapore, Chennai - 04.

2.The Superintendent of Police,
Office of Superintendent of Police,
Krishnagiri.



3.The Deputy Superintendent of Police,
Krishnagiri Subdivision,
Gandhi Road, Krishnagiri.

4.The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri.

5.The Inspector of Police,
All Women Police Station Krishnagiri,
Krishnagiri.

6.The Inspector of Police,
Sooramangalam Police Station,
Salem.

7.The Sub Registrar Joint I,
Office of Sub Registrar,
Krishnagiri.

8. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.S.Nambirajan, Advocate sr 4500.

+1 CC to Mr.M.Govindaraju, Advocate sr 5353.

W.P.No.26655 of 2021

SSN(CO)
SP(18/02/2022)