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Crl.O.P.No.26291/2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N. MANJULA

Crl.O.P.No.26291 of 2022

C. Vasanthraj

...

Petitioner

/vs/

1. The State of Tamilnadu,
represented by its Inspector of Police,
K-2 Ayanavaram,
Chennai 600 010

2. Mrs. Jayalakshmi

...

Respondents

Prayer : Criminal Original Petition has been filed under Section 482 Cr.P.C. to direct the 1st respondent to give police protection to the petitioner to take his clothes locked up in 2nd respondent's house at No.38C/3A, Aakash Anugraha Apartment, Solai Amman Koil Street, Ayanavaram, Chennai-23, (opposite to Madina Mosque, New Avadi Road) within a time frame as may be fixed by this Court.

For Petitioner

...

Mr. R. Veeramani

For Respondents

...

Mr.S.Santhosh
Government Advocate (Crl.Side)
for R1



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ORDER

This Criminal Original Petition is filed to direct the 1st respondent police to give police protection to the petitioner to take his clothes locked up in 2nd respondent's house at No.38C/3A, Aakash Anugraha Apartment, Solai Amman Koil Street, Ayanavaram, Chennai-23, (opposite to Madina Mosque, New Avadi Road) within a time frame as may be fixed by this Court.

2. The learned counsel for the petitioner submitted that there is a matrimonial dispute between the petitioner and his wife, who is the 2nd respondent herein and because of that, the petitioner and the 2nd respondent, along with her child were living separately. The 2nd respondent and the child were living in the maternal home of the second respondent. On a complaint lodged by father-in-law of the petitioner, a criminal case was registered against him, hence, he is not able to go to his house to take away his belongings. The petitioner is in need of his clothes which were left at his in-law's house and hence, he should go there and



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take away his clothes. Since he apprehends untowardness, he approached the first respondent police by giving representation dated 25.08.2022 seeking police protection. However, the respondent police did not consider the representation given by the petitioner.

3. The learned Govt. Advocate (crl.side) appearing for the 1st respondent submitted that with regard to the matrimonial dispute between the petitioner and the 2nd respondent, a petition in HMOP. No.41 of 2022 is pending before the Sub Court, Virudhachalam and the petitioner can get appropriate order from the matrimonial court itself.

4. Though the larger issue of the matrimonial dispute is pending between the petitioner and the second respondent before the Principal Sub Court, Virudhachalam, the limited prayer now sought by the petitioner is to enable him to take away his clothes lying at his in-law's house. The petitioner himself apprehends some untowardness or wordy quarrel and thus he fears to visit his in-law's house.



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6. With this observation, this Criminal Original Petition is disposed of .

01.11.2022

Index : Yes/No
Internet : Yes/No
msr

To

1. The Inspector of Police,
K-2 Ayanavaram,
Chennai 600 010.

2. The Public Prosecutor,
High Court, Madras.



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R.N.MANJULA, J.

msr

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