



Crl.O.P.(MD) No.21112 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2022

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THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P (MD) No.21112 of 2022

Nithyanandhan

...Petitioner

VS

- 1.The Additional Chief Secretary,
Home,
Government of Tamil Nadu,
Chennai.
- 2.The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai 600004.
- 3.The Inspector General of Police,
South Zone,
Madurai.
- 4.The District Collector,
Thanjavur.
- 5.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur District.
- 6.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kumbakonam Taluk, Thanjavur District.



Crl.O.P.(MD) No.21112 of 2022

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7.The Inspector of Police,
Potramaraikulam Police Station,
Thanjavur District.

8.Saminathan

*(R1 to R4 are suo motu impleaded vide
order of this Court dated 29.11.2022)*

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Respondent Nos.1 to 3 to provide police protection to the Petitioner and the Petitioner's family members life and liberty by considering the Petitioner's representation dated 16.11.2022 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For R1 to R7 : Mr.R.Suresh Kumar

Government Advocate (Crl.side)

ORDER

This Criminal Original Petition had been filed to direct the Respondents to provide police protection to the Petitioner and his family members, by considering his representation dated 16.11.2022.

2.It is the submission of the learned Counsel for the Petitioner that the Petitioner had married the daughter of the 8th Respondent. It was a love



Crl.O.P.(MD) No.21112 of 2022

marriage and the marriage was registered with the Sub Registrar, Papanasam. The 8th Respondent along with his relatives had threatened the Petitioner.

3.It is the further submission of the learned Counsel for the Petitioner that on 07.10.2022, when the Petitioner's wife returned to her mother's place, some unknown persons had assaulted her and she was injured grievously. She undertook treatment in the Kumbakonam Government Hospital, from where she was referred to Thanjavur Hospital. After discharge from the Hospital, she was waiting near the State Bank of India, Kumbakonam Branch along with her mother. At that time, the Petitioner approached the mother of the Petitioner's wife, the mother-in-law and explained about the registered marriage with the Sub Registrar Office, Papanasam performed for them. The mother-in-law of the Petitioner objected to the inter-caste marriage. At the time the Petitioner's wife joined him and they left to their matrimonial home.

4.On 15.11.2022 by around 1.00 pm., several policemen came from the Kumbakonam East Police Station to the Petitioner's house. At that time,



Crl.O.P.(MD) No.21112 of 2022

the 8th Respondent also accompanied them. They threatened the Petitioner and his family members. Thereafter, the Police Officials attempted to compromise the issue with the 8th Respondent. Still the Petitioner apprehends danger to him and to his wife from the 8th Respondent. Therefore, he seeks police protection.

5.Also, the learned Counsel for the Petitioner relied on the order passed by the Punjab and Haryana High Court, wherein the guidelines were issued to eradicate inter-caste marriage to avoid honour killing. In the light of the above guidelines, the Petitioner seeks direction to the Respondent Police to provide police protection to him and his wife.

6.The learned Government Advocate (Crl.side) for the Respondents 1 to 7 would submit that the wife of the 8th Respondent had given a complaint to the seventh Respondent regarding the missing of her daughter. Based on the compliant of the wife of the 8th Respondent, the seventh Respondent had registered C.S.R.No.644 of 2022 on 14.11.2022. Subsequently, she was traced and the complaint was closed on the very same next day ie., on 15.11.2022.



Crl.O.P.(MD) No.21112 of 2022

WEB COPY

7.Considering the past incidents in Dharmapuri, Thiruppur and in Namakkal (Gokulraj), which is now pending before the Division Bench of this Court as Criminal Appeal, the apprehension expressed by the Petitioner cannot be ignored.

8.In the light of the above, the Additional Chief Secretary, Home, Government of Tamil Nadu, Chennai, the Director General of Police, Dr.Radhakrishnan Salai, Mylapore, Chennai 600004, the Inspector General of Police, South Zone, Madurai and the District Collector, Thanjavur are *suo motu* impleaded as Respondents 1 to 4 in this petition. The Respondents 1 to 4, who are the parties already, are rearranged as Respondents 5 to 8.

9.In the light of the order passed by the Punjab and Haryana High Courts, the Respondents 1 and 2 are requested to consider the guidelines issued in the order of this Court made in W.P.No.26991 of 2014 dated 13.04.2016 to formation of a Special Cell to avoid honorary killing and to provide protection to the inter-caste couples to avoid the occurrences that had already taken place in Tamil Nadu, Dharmapuri, Thiruppur and in



Crl.O.P.(MD) No.21112 of 2022

Namakkal. Till such Special Cells are formed, the Respondents 4 and 5/the District Collector, Thanjavur and the Superintendent of Police, Thanjavur through their Officials have to protect the inter-caste couples.

10.With the above directions, this Criminal Original Petition is disposed of.

Internet:Yes/No
Index:Yes/No
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29.11.2022

To

- 1.The Additional Chief Secretary,
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Crl.O.P.(MD) No.21112 of 2022

- 5.The Superintendent of Police,
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- 6.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kumbakonam Taluk, Thanjavur District.
- 7.The Inspector of Police,
Potramaraikulam Police Station,
Thanjavur District.
- 8.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.21112 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

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Crl.O.P (MD) No.21112 of 2022

29.11.2022