



WEB COPY



Crl.O.P.No.14298 of 2015

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.14298 of 2015

N.Mohamed Ismail

... Petitioner

Vs.

1. The Inspector of Police,
W24 All Women Police Station,
Teynampet Police Station,
Chennai-6.

2. Shereen

... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to direct the respondent to inform the status of the complaint given by the defacto complainant dated 16.11.2023 before the respondent.

For Petitioner : Mr.K.Harikrishnan

For Respondent : Mr.L.Baskaran, GA (Crl side) R1

ORDER

The petitioners have filed this petition seeking a direction to the respondent to inform the status of the complaint given by the defacto complainant dated 16.11.2023 before the respondent.



2. The case of the prosecution is that a marriage between the petitioner and the second respondent was held on 01.11.2007 at Egmore. Previously, their marriage was registered on 14.10.2005 in Sub Registrar Office, Central, Chennai and the couple were living in Chennai. After marriage, due to the repeated cruel behaviour by the defacto complainant, the petitioner decided to dissolve the Nikka with her by pronouncing triple Thalak. Thereafter, the Chief Qazhi also issued a certificate of dissolution of Nikka and approved the Thalak on 11.12.2013. The petitioner filed a suit for declaration of the Tamil Nadu Chief Qazhi's certificate of dissolution of Nikka and declaration of Thalak in O.S.No.28/2014 before the III Additional Family Court, Chennai. Only for the counter blast, the defacto complainant gave a dowry complaint against the petitioner and his parents and his elder brother before the first respondent police on 16.11.2013 and thereafter, the defacto complainant filed a divorce case before the Family court at 30.11.2013 against the petitioner and the same has numbered in OP.No.117 of 2014. The suit in OS.No.28 of 2014 and O.P.no.117 of 2014 was forwarded to the Mediation for settlement and the matter was settled.



WEB COPY

3. While so, a Woman Constable from the Teynampet Police Station informed that one Mansoor, who is the elder brother of the petitioner, has to attend the court. Therefore, the petitioner has sent a letter to the respondent dated 20.04.2015 that the matter has been settled before the III Additional Family Court, Chennai and therefore, requested the respondent police to closed the complaint of the defacto complainant dated 16.11.2013 and the respondent received the said letter and the remainder also sent by the petitioner. However, the respondent police has not replied so far whether the complaint dated 16.11.2013 is closed or not. Hence, the petitioner has preferred the present O.P.

4. Considering the facts and circumstances of the case and the limited request made by the petitioner, this Court is inclined to issue a direction to the first respondent police to communicate the status of the complaint dated 16.11.2013 made by the defacto complainant within the period of four weeks from the date of receipt of a copy of this order.



Crl.O.P.No.14298 of 2015

5. With the above direction, the Criminal Original Petition is disposed

WEB COPY of.

25.01.2023

rli

Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

1. The Inspector of Police,
Velipalayam Police Station,
Incharge of Special Cell,
Anti Land Grabbing Special Cell,
Nagapattiam.

2. The Judicial Magistrate-I, Nagapattinam.

3. The Public Prosecutor,
Madras High Court.



WEB COPY



CrI.O.P.No.14298 of 2015

M.DHANDAPANI,J.

Rli

CrI.O.P.No.14298 of 2015

25.01.2023