



Crl.O.P.No.11000 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.11000 of 2024

and

Crl.M.P.No.7517 of 2024

Tr.Sweetson Rajkumar

... Petitioner

Vs.

Mrs.Deboral Rajkumar

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to set aside the order passed by the learned Additional Mahila Judge, Tiruvallur dated 21.02.2024 in C.M.P.No.18670 of 2023.

For Petitioner : Mr.M.Muralidharan

ORDER

The Petition is filed under Section 91 Cr.P.C., by the husband who is facing trial in domestic violence case initiated by his wife.

2. The sum and substance of the petition is that the petitioner received an anonymous letter that his wife is already married to a known person in the church at Tiruvallur district. Therefore, he sought for



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production of marriage register from the period commencing from February 2011 to 2017. The trial Court dismissed the application after considering the counter filed by the respondent and the nature of the prayer.

3. On perusing the impugned order, this Court finds that without any specific details a bald assertion been made by the petitioner stating that the respondent has entered into marriage solemnized in the church somewhere between 2011 to 2017. This vague information according to the petitioner was brought to his notice through an anonymous letter. The trial Court taken note of the vagueness in the petition and found not fit to entertain.

4. The subject matter under consideration is whether the respondent was subjected to domestic violence by the petitioner or not. This Court finds that the documents sought has no significance to decide the case.

5. This Court is of the view that the church cannot be asked to produce the document pertaining to registration of marriage, which is



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spanning to the period of 7 years, without any valid reason. Unless and until the petitioner is able to come out with a specific date of the registration of the marriage and to whom the respondent was married, church cannot be forced to subject itself for any roving enquiry. Hence this Court holds that there is no merit in this petition. As a result, this Criminal Original Petition is dismissed. Consequently, the connected Criminal Miscellaneous Petition is also dismissed.

03.06.2024

Index : Yes/No

Neutral Citation : Yes/No

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To

The Additional Mahila Judge, Tiruvallur



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Dr.G.JAYACHANDRAN,J.

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