



W.P.(MD)No.26412 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

W.P.(MD)No.26412 of 2024

A.Sivakumar

... Petitioner

Vs.

1.The Superintendent of Police,
Trichy District.

2.The Inspector of Police,
All Women Police Station,
Jeeyapuram,
Trichy District.

3.Deepa

4.The District Child Welfare Officer,
The District Child Welfare Office,
Trichy District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus, to direct the second respondent to complete the enquiry of the petitioner's complaint dated 25.09.2024 in C.S.R.No.471 of 2024, pending on the file of the second respondent.

For Petitioner : Mr.S.Balaji

For R1 and R2 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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For R4

: Mr.M.Muthumanikkam
Government Advocate

ORDER

The petitioner had filed this Writ Petition seeking to complete enquiry on his complaint dated 25.09.2024 and C.S.R.No.471 of 2024, within a stipulated period.

2. The contention of the learned counsel for the petitioner is that the petitioner married one Deepa (the third respondent herein) on 22.03.2010 at the Samayapuram Mariyamman Temple. From the marriage, they have two children. The petitioner was employed with the Golden Chariot Tourist Train and, between 2015 and 2017, worked in various countries including Spain, Portugal, the Caribbean Islands, Norway, Sweden, Russia, London, France, and Germany. He worked as a chef on a ship and would visit India once a year for a period of one month during his holidays. During his continuous service in abroad for two and a half years, he earned a significant amount of money and sent Rs.18,00,000/- to his wife. The petitioner claims that he sent all the money he earned to his wife for proper investment. However, later, his wife turned against him and refused to provide details of the accounts and investments made. Hence, the petitioner filed this complaint.



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3. The learned Additional Public Prosecutor submitted that, based on the complaint of the petitioner, C.S.R. No.471 of 2024 has been assigned on 14.09.2024. Further, the petitioner's wife filed a divorce petition on the grounds of cruelty against the petitioner in H.M.O.P.No. 141 of 2024, which is now pending before the Sub-Court, Lalgudi.

4. The learned Additional Public Prosecutor further submitted that although the petitioner provided details about the Bank of Baroda, Karur Vysya Bank, and Axis Bank in his complaint, he did not submit any account statements to show that the monies were subsequently diverted or misused. As long as the petitioner and his wife were on good terms, there was no dispute, and they were living together as husband and wife. However, the matrimonial discord has now compelled the petitioner to file a complaint. The petitioner was advised to approach the Family Court and file an appropriate petition. In any event, C.S.R.No.471 of 2024 was closed on 27.10.2024, and a copy of the closure report will be sent to the petitioner.



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5. Recording the above said submission, this Writ Petition is closed. No costs.

12.11.2024

NCC : Yes / No
Index : Yes / No
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To

- 1.The Superintendent of Police,
Trichy District.
- 2.The Inspector of Police,
All Women Police Station,
Jeeyapuram,
Trichy District.
- 3.The District Child Welfare Officer,
The District Child Welfare Office,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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Order made in
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