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C.R.P.(PD).No. 869 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.03.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(PD).Nos. 869 of 2025

M. Mohammed Imran

...Petitioner

Vs.

Vaseeha Afreen

...Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the order dated 04.09.2024 passed in IA.No.1 of 2024 in OS.No.194 of 2023 on the file of the III Additional Principal Family Court, Chennai.

For Petitioner : Mr. D.Bennington



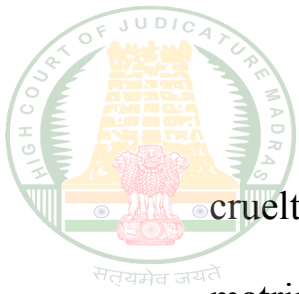
ORDER

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Challenging the rejection of his application for visitation, the petitioner is before this Court. The facts are briefly set out herein below.

2. The plaintiff who is the respondent in the above Civil Revision Petition had filed the suit OS.No.194 of 2013, on the file of the III Additional Family Court, Chennai, seeking dissolution of the marriage solemnised between herself and the defendant as per Islamic Rites and Customs on the grounds of cruelty. The plaintiff's contention is that she had been subjected to immense physical abuse at the hands of the defendant and that apart her jewellery given at the time of marriage was also taken away by the defendant.

3. The plaintiff would further submit that she had given a birth to a boy baby and even thereafter the cruelty continued. The defendant had violent burst of anger and ultimately not being able to bear the



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cruelty that was being meted out to her and her son, she left her matrimonial home and had filed the suit OS.No.194 of 2023, for the said relief.

4. The defendant had filed a counter denying all the allegations. He had thereafter come forward with an application in IA.No.1 of 2024 for a direction to the plaintiff to allow him and his mother to visit the baby on every Sunday for 2 hours.

5. The plaintiff had opposed this application by stating that the defendant did not have any iota of love for his son. That apart, he was very rough in handling the baby. When the child was 5 months old he had taken him on a bike ride for over an hour and the child had returned petrified and was crying through the night.

6. Once again on the very next day he had taken the child and when the plaintiff had informed him that the child cannot be taken outside, he had scolded her in abusive language and pushed her and this



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constrained her to call Police for assistance.

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7. On 30.05.2024, the defendant was arrested by the Police as he had impersonated as a Policeman and snatched Rs.67,000/- from a medical shop which news was flashed in the paper and TV Channels. The plaintiff would submit that such a person cannot be permitted access to the child.

8. The learned III Additional Family Judge, Chennai, on considering the above facts has dismissed the application.

9. Challenging the same, the defendant is before this Court.

10. Heard the learned counsel and perused the records.

11. The reasons given by the plaintiff / wife for not permitting visitation rights to the defendant appears reasonable. A father ignoring the tender age of the child had removed him from mother's company



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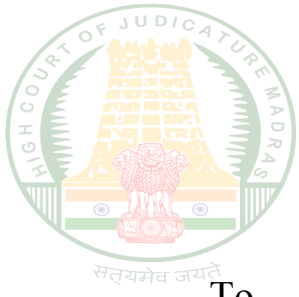
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for over an hour and that too by taking the child on a two wheeler. This clearly shows that the defendant is unconcerned about the safety of the child and danger of taking the baby on two wheeler that too all by himself. He is also having a criminal antecedents which is also not a good example for the child. His conduct does not inspire confidence in the Court to permit him access to the child.

12. Therefore, I see no reason to disagree with the order passed by the learned Judge and consequently the CRP is dismissed. If the petitioner were to reform, the Court after the child has grown up, shall re-consider his request after it is made. No costs.

07.03.2025

Index : Yes/No
Internet : Yes/No
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To
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The III Additional Principal Family Court,
Chennai.



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P.T. ASHA, J,

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