



W.P.Crl.(MD)No.1779 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2025

CORAM :

THE HON'BLE MR.JUSTICE SUNDER MOHAN

W.P.Crl.(MD)No.1779 of 2025

Joseph Sam Isravel

... Petitioner

Vs

1. The Commissioner of Police,
Madurai City.

2. The Additional Commissioner Of Police,
(Crime Against Women and Children),
Madurai City.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to forbear the 2nd respondent, all their subordinates, and any other police personnel from interfering or threatening the petitioner in connection with the family dispute between the petitioner and his wife, in any manner whatsoever, particularly in view of the pending cases before the trial Courts.



W.P.Crl.(MD)No.1779 of 2025

For Petitioner : Mr.S. Kumar,
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor
For Defacto - : Mr.S.Velmurugan
Complainant For Mr.M.Suresh

ORDER

This writ petition is for writ of Mandamus to direct the first respondent to forbear the second respondent from interfering in a matrimonial dispute between the petitioner and the complainant/wife.

2.Though the defacto complainant is not made a party in this petition, Mr.S.Velmurugan, learned Counsel takes notice for the defacto complainant.

3.The gist of the complaint made by the defacto complainant who is the wife of the petitioner, is that she had given money to the petitioner to purchase a four wheeler; that after the defacto complainant had differences with the petitioner, he refused to return the said vehicle.

4.The learned Counsel for the petitioner however would submit that even in the proceedings pending before the learned Judicial



W.P.Crl.(MD)No.1779 of 2025

Magistrate under the Domestic Violence Act, the complainant has sought for a similar prayer and therefore, the respondents have no jurisdiction to entertain such a complaint.

5.It is not in dispute that there are proceedings pending between the petitioner and the defacto complainant before the Family Court and the learned Judicial Magistrate. Hence, this Court is of the view that the respondents have no jurisdiction to deal with such matrimonial or monetary dispute between the husband and wife unless the complaint discloses any cognizable offence. Hence, the respondents are directed to conduct the enquiry only to ascertain if any cognizable offence is made out in the complaint and conclude the same within a period of two weeks from the date of receipt of a copy of this order.

6.With the above observation, this writ petition is dismissed.

22.10.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
LR

3/5



W.P.Crl.(MD)No.1779 of 2025

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To

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3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.Crl.(MD)No.1779 of 2025

SUNDER MOHAN, J.

LR

W.P.Crl.(MD)No.1779 of 2025

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