

ITEM NO.28

COURT NO.17

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 3323/2021

(Arising out of impugned final judgment and order dated 05-02-2021 in CRLOP No. 1712/2021 passed by the High Court Of Judicature At Madras)

B. VASU

Petitioner(s)

VERSUS

V. PUNITHA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.56025/2021-EXEMPTION FROM FILING O.T. AND IA No. 56025/2021 - EXEMPTION FROM FILING O.T.)

Date : 13-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE PRASANNA BHALACHANDRA VARALE

For Petitioner(s) Mr. S. Nagamuthu, Sr. Adv.
Mr. M.P. Parthiban, AOR
Ms. Priyaranjani Nagamuthu, Adv.
Mr. R. Sudhakaran, Adv.
Mr. T. Hari Hara Sudhan, Adv.
Ms. Shalini Mishra, Adv.
Ms. Bilal Mansoor, Adv.
Mr. Shreyas Kaushal, Adv.
Mr. P.v.k. Deivendran, Adv.

For Respondent(s) Mr. Sabarish Subramanian, AOR
Mr. Vishnu Unnikrishnan, Adv.
Mr. Naman Dwivedi, Adv.
Mr. Aman Prasad, Adv.
Mr. Danish Saifi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. The petitioner before this Court, is the husband of the respondent and they admittedly got married on 03.05.1993. They have child (male) born out of the wedlock. According to the petitioner, due to some matrimonial dispute, the respondent deserted him and

they both are living separately since the year 1994.

2. The allegation of the respondent-wife is that the petitioner-husband has subsequently married another woman and out of that wedlock, they have a daughter. Consequently, the respondent-wife filed a complaint of bigamy under Section 494 of the Indian Penal Code, in which notices were issued. Subsequently, these proceedings were challenged by the petitioner under Section-482 of the Code of Criminal Procedure, which came to be dismissed by the High Court of Madras vide its order dated 05.02.2021. Now, the said order dated 05.02.2021 has been challenged by the petitioner before this Court.

3. Having heard learned counsel for the parties and after the perusal of the material placed on record, we find absolutely no occasion to interfere in the matter as there are allegations of bigamy against the petitioner-husband and certain proof to this effect have also been placed by her before the Courts below.

4. Hence, the special leave petition is dismissed. However, we make it clear that any of the observations made herein, are only for the disposal of the case and shall not prejudice any of the parties during trial.

5. Pending application(s), if any, shall stand disposed of.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(RENU BALA GAMBHIR)
COURT MASTER (NSH)