

From :

Date 06 June 2012

Om Vijay Vamshi
Bhoomi Ashram
NMC Main Road, Ashwath Nagar
Hosamane, Bhadravathi - 577301
Shimoga District, Karnataka

MOST URGENT**To :**

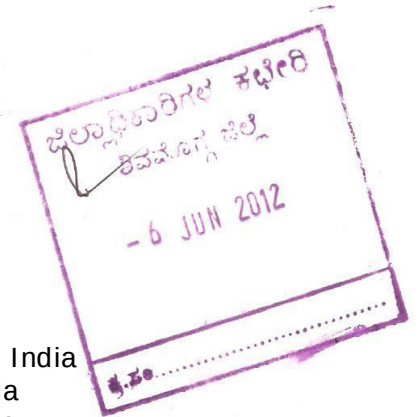
The Hon'ble President of India
Government of India
New Delhi

Through :

Deputy Commissioner
Shimoga District
Shimoga, Karnataka

Please submit a Copy of this memorandum to:

1. The Hon'ble Chief Justice of India
2. The Hon'ble Prime Minister of India
3. The Hon'ble Home Minister of India
4. The Hon'ble Home Secretary, Government of India
5. The Hon'ble Law Minister of India
6. The Hon'ble Speaker, Loka sabha, New Delhi, India
7. The Hon'ble Speaker, Rajya sabha, New Delhi India
8. All the Members of Parliament (M.Ps) in India
9. All the Hon'ble Governors of the States in India
10. All the Hon'ble Chief Justice of States in India
11. All the Hon'ble Chief Ministers of the States in India
12. All the Hon'ble Home Ministers of States in India
13. All the Hon'ble Home Secretaries of States in India
14. All the Hon'ble Law Ministers of States in India
15. All the Hon'ble Speakers of State Legislative Assembly in India
16. All the Hon'ble Speakers of State Legislative Council India
17. All the Members of Legislative Assembly of States in India
18. All the Members of Legislative Council of States in India
19. All the Director Generals of Police (D.G.Ps) of States in India
20. All the Inspector Generals of Police (I.G.Ps) of States in India
21. 3rd Additional C.J & JMFC Court, Bhadravathi, Shimoga Dist
22. Fast Tract Court - VII, 5th Floor, City Civil Court Complex, Bangalore

**Memorandum: Use and Misuse of Indian Laws****Reference : Memorandum dated 09 May 2012 – copy attached****Respected Hon'ble President of India,**

To begin with, introduce myself to you, I am a citizen of the universe, born and brought up in India and residing at Bhadravathi, Shimoga District in the state of Karnataka. For the sake of identification purpose in this huge populated country, I am named as 'Om Vijay Vamshi', living in India and love this country. I wish you all a very happy enjoyable time and bright future to you and to the great cultured colourful country India.

I am submitting this memorandum for seeking your attention on the false and fictitious cases filed by wife against me and my parents for gaining undue advantage by misusing this country's available best laws which was discussed in detail in my earlier memorandum dated 09 May 2012 submitted to your good self on 11 May 2012 through the Deputy Commissioner, Shimoga District, Shimoga, Karnataka. I submit the followings for your study, review and request you to go through the memorandum and think positive and be practical to take necessary steps for the protection of honesty and humanity.

1. A true fact and suffering experienced by myself and my aged parents, family members which is discussed in the memorandum dated 09 May 2012 are provided below for your kind, quick study and understanding.

Brief background of my family for your information and imagination:

- My father, aged about 76 years retired as an employee of Vishweswaraya Iron & Steel Limited (VISL);
- My Mother, house wife aged about 68 years;
- My parents having total 5 children; 3 sons and 2 daughters;
 - Two daughters got married and living with their husband house;
 - 1. Elder son got married, living separate from parents;
 - 2. Second son got married, living separate from parents; and
 - 3. I am the third son who was working and living in Bangalore separate from parents
- Since, children's got married and living separate and away from parents, aged parents has no option left, has to live and lead their life together in Bhadravathi and are living in Bhadravathi.

Brief facts:

- i) I was working in private in Bangalore; Marriage was an arrange marriage; I was got married in the year 2008 to a Bangalore girl; in the marriage we have not asked or received anything in the form of gift or dowry.
- ii) My house was near to wife's parent's house so once I go to office, most the time she use to go to her parent's house and spend time there, saying that I am alone and bored to stay alone, before marriage the girl was working and after fixing the marriage with me, I was not interested to send my wife to job, so she left the job and was at home; In the beginning I was not objecting for that since, we are newly married, I was just not opposed for her wish to spend more time with her parents. While going to office I use to drop her to her parent's house and while coming back I use to pick her. Likewise, the life was going on; After

some days I started to oppose her to visit her parent's house regularly and stopped dropping her to her parent's house thus the dispute arose between the husband and wife; and while in the argument time, she expressed that she would have been got a better husband than me and she said she was interested to marry her office colleague but her parents were opposed for the same and fixed marriage with me. After knowing that I said, you just forget the past whatever has happened or whomever you wanted to marry, just forget the past and lead life with me, if you don't want to lead life with me you can take your decision; and after that she started to show her anger on me for simple silly matters; when this was not tolerable I spoke to her parents and intimidated them about her attitude towards me, and questioned them why you people got married her to me when she was interested to marry a guy of her choice? For that her parents said that she is too young, she doesn't know the reality of life; we will tell her to lead a peaceful life with me. Thus the life was going on.

- iii) Out of the married life, we got a female child and after that I shifted my house to a different location which is bit far from her parent's house, earlier it was very near to her parent house; thus whenever she want to go to her parents' house she use to ask me to drop her to her parents' house and go to office; the office and her parent house was in two different directions; sometime I use to drop her and sometimes I was not able to drop her; for that she use to fight with me saying that who is important to you? Your wife or your work? you choose one, if you are not going to come with me to my parent house I will go alone and I will not come back; this was happening very often and I use to intimate to her father many times he use to come and convey her to lead a peaceful life. During these days she was not so co-operative and started to threaten me saying that if you complain about me to my parents, I will file a false dowry harassment case against you, I will tell the police and tell media that you are harassing me for dowry. That was not tolerable to me; I was in total confusion, I do not wanted to say this things with my parents who are aged and living away from us will think about us and will spoil their health; so I was just managing and was leading the life as per my wife's wishes, after some time when she started to threaten me to commit suicide and write my name in the suicide note, I was really disturbed a lot, mentally I was not able to sustain these kind of harassments; so finally I wrote a letter and handed over the letter to her father and said she is not interested to lead life with me, she threatens to file false complaint, and some time she use to threaten that she would kill me. When this matter was discussed at her parents' house, I felt

alone and finally decided to discuss with my close friends and slowly with my parents; when the matter was discussed by both the family members; my parents put a suggestion to shift the family to my hometown Bhadravathi, but my wife and her parents and relatives were not ready to send my wife to lead life in Bhadravathi and they said 'No' to shift the family to Bhadravathi and promised me saying that they will ensure that, she would lead a peaceful life with me.

Then further we started to live in Bangalore; In between my wife's sister marriage was got fixed and for the marriage my wife asked me to pay money to his father as a loan, for the marriage expenditure and borrowed money from me. I paid the money without intimating to my parents.

- iv) During the month of March 2010, she picked up a quarrel with me and left my house and finally she started to live with her parent's house. I came back to my home town, Bhadravathi and we were living separate from March 2010.
- v) After 6 months, during the month of October 2010, my wife along with her parents and some members of a Women Association / Mahila Sangha came to my hometown Bhadravathi and filed a false dowry harassment complaint against me and my parents in Bhadravathi Police station.
- vi) During the month of November 2010 we all gathered in the police station; in the police station I have explained all the facts from the beginning to the police officer and said that the wife is making false allegations against me and my parents, and further explained that; the complaint is false; wife's father has taken money from me; during the discussion in the police station in front of the police officer and Women Association members, my wife and her father accepted that they have borrowed money from me. On that day the well-wishers and friends present there advised me to forgive them for the false complaint and to lead family life in Bhadravathi. Thus again we started to lead life in Bhadravathi;
- vii) During the stay in Bhadravathi, again she started to act same as earlier; she use to say that I want to live in Bangalore; I do not want to live with you in Bhadravathi. Thus she was creating nuisance at home but her family members were very much supporting her. And during the month of February 2011, we intimated the police officer saying that you suggested us to forgive her for her false complaint and to lead life with her in Bhadravathi, but she is threatening us to file a false complaint against us what to do? Further the police officer said to file a complaint against my wife, so we filed a complaint against my wife and her father. After knowing that we have filed a complaint she started to

threaten us saying that she will commit suicide and write our entire family members name in the note. We were all afraid of her threatening, after that she left my house and started to live in Bangalore.

- viii) After sometime, I contacted with the police officer and my friend an advocate, and discussed the matter; they suggested to send a legal notice to wife; so we sent a legal notice to wife; after the receipt of the legal notice, she came to Bhadravathi alone with my daughter; after 2 days her father came to Bhadravathi and threatened me to take back the complaint and lead life in Bangalore with her daughter; I was not ready for that and denied for their proposal; and the next day in the morning my wife went to police station and filed a false and fictitious complaint and a case was booked under Indian Penal Code Section 498A, 506, 323 against me and my parents in Bhadravathi. Further my wife filed a case in Bangalore under the Protection of Women from Domestic Violence, Act, 2005 seeking maintenance of Rs.60,000 per month (Rupees Sixty Thousand per month) and Rs.25,00,000 (Rupees Twenty Five lakh) compensation and asking for share in property'.
- ix) After obtaining bail, I met the police officer and asked him, you are aware of the fact that the complaint is false & fictitious, still why did you filed a case against us? For that he said the laws are all in favour of women, I will not be able to help you.
- x) During these days we have suffered a lot; due to this false allegations and case filed against me and my parents; my parents are aged and they feel that they have lost their social image and reputation; day by day they are becoming very weak and leading their life with lots of pain by spoiling their life and taking more and more medicine.
- xi) At present the following cases are filed against me and my parents and the same is pending for hearing and disposal.
 - I. A false criminal case under IPC 498A, 506, 323
 - II. A maintenance case filed in Bangalore for seeking
 - a. Rs.60,000 Per Month (Rupees Sixty Thousand per month) as maintenance
 - b. Rs.25,00,000 (Rupees Twenty Five lakh) as compensation
 - c. Share in the property
 - d. A own / rented house for her stay in Bangalore
- xii) This is the true fact, even the police officer who filed the case, is aware of the fact that we are innocent, but he is not able to do anything to support us in support of justice.

- xiii) The Women Association / Mahila Sangha members who were present on the day of discussion at the police station with whom my wife filed complaint, is fully aware that we are innocent and we are trapped under a false and fictitious criminal case, still, they are not able to come and tell the truth and support us.
- xiv) The middlemen through whom the marriage is fixed and other relatives who is aware of the fact that the complaint and allegation made by the wife is false, and aware that we are innocent, but still they are not ready to come and tell the truth before the court.
- xv) What is happening in India? How these police officers are performing their duties in India? I am really not able to understand. But, still we have to live and lead life with in this society, so we are living for hoping for good and in believing that we will get justice.
- xvi) Let us see what happens and where this will end in the fight for justice.

* * * * *

2. In view of the above facts, I like to mention the present practical situations and happenings in India before the humble and Hon'ble president of India; whenever a woman files a case against husband and his parents, brothers, sisters and relatives under IPC Section 498A; whether the allegations or complaint is right or wrong the police will put husband and his parents, relatives in jail, till they get bail from court in the name of investigation. Further, wife files a case against husband for maintenance and share in the property; most of the cases, court grants maintenance to wife based on her husband earnings. At the end the family dispute will end in separation; wife receives lump sum money as compensation for granting acceptance for separation and divorce.
3. In IPC Section 498A cases, whether the allegations made by the wife if right or wrong the husband and his parents and relatives has to go through lots of pain and sufferings; this would be best and better understood only by the real sufferers. During the period of investigations and at court proceedings which will run years together; innocent people has to suffer a lot.
4. Normally, for maintenance the government will order to pay maintenance and compensations based on the earning capacity of the Husband against whom the case is filed; As we are all aware and know but still to tell you honestly, in the maintenance cases, government is not losing any money or asset of its own; it is just acting as a mediator through the court, the judge is providing judgement / decree for maintenance / share in property / and compensation to wife. The loser in these type of cases are always the husband, even though there is no specific yardstick is available to measure the

authenticity of the cases filed by the women for claiming maintenance or under IPC Section 498A but, still whatever the order would be passed by the court that will bind on the husband and the husband has to bear the cost out of his pocket, if he is not in a position to pay the maintenance / compensation as ordered by the court or fail to comply with the court order, the husband has to stay in jail for not complying with the court order / judgement. This is the present practical happenings of the laws of the land.

5. Ok to coming to my case and to tell you in brief; my wife being a woman taking advantage of the available laws; filed a false and fictitious case against me and my parents under IPC Section 498A [Ref : CC 1752 of 2011 at present the case is pending at Bhadravathi, Court] and a maintenance case has been filed against me for seeking the monetary benefits [Ref Cr.Appeal No: 739 of 2011 & 783 of 2011 at present, the case is pending before the Fast Track Court - VII, City Civil Court Complex, Bangalore]

Summary of the claim are as detailed below:

- a. Rs.25,00,000 (Rupees Twenty Five lakh) as compensation
 - b. Rs.60,000 Per Month (Rupees Sixty Thousand per month) as maintenance
 - c. Share in the property
 - d. A own or rented house for her stay in Bangalore
6. Ok, now coming to the point, Now a woman who was my wife earlier has filed a false and fictitious case against me and my parents under IPC Section 498A and due to this I had lost my job and further I am not able to go for employment; no companies are willing to appoint me just because of this criminal case; I have to appear and attend to the court as and when called. Since, the court case will move for long time, I will not get any employment opportunity and most of the companies would not accommodate to employ a person against whom criminal proceedings are on and is pending and would hesitate to appoint him thus at present I am jobless and without job and without money I have to suffer a lot and still suffering just because the woman whom I got married has filed a false and fictitious case against me and my aged parents for her personal benefit and to lead the life the way she wanted to live.
 7. To be honest, during these days of court proceedings; I do need money for my lively hood and living which otherwise, I would have been earned through job / employment which is not possible now. Further, I have to deposit the maintenance awarded by the Bangalore court; a person without job; not earning anything, how he would be able to deposit? But still the court orders for deposit of maintenance even, the proceedings are going on, the husband has to deposit the money to court; otherwise he would be sent to jail for not complying the court order; how the same is justifiable? A person arrested and put him behind bars; how he will be able to pay the maintenance? This is really very painful, just think of the innocent man who has not done any harm and his family aged parents has

to suffer a lot. I am really unable to understand this kind of situations which I have faced, but still the husband has to take loan or borrow from friends and family members to deposit the money to the court. No job, no earning, how to lead life in these situations? Only the persons who had this bitter experience will only be able to understand, not the others. Many husbands and his family members who are not in a position to handle the stress are committed suicide. But, to be frank and honest this is the true facts needs to be kept in mind.

8. I believe that, in this country; it is provided certain privileges to aggrieved women to file case against husband / his parents / family members or anyone but now a day's most of women are using it as a weapon to extract money and to harass the innocent husbands and his aged parents and family members; This specific provision of law lacks for want of proper yardstick to measure the intension of the person who is filing a false and fictitious case and misusing the available laws for gaining benefit.
9. I understand and believe that we all human beings are living with other beings on this earth, every being has got his own freedom and right to lead a happy, healthy and peaceful life; the government or any laws, rules and regulations are not supposed to play with innocent human beings life and freedom; time and money by using and misusing the available laws, rules and regulations in the name of investigation, court proceedings, and for proving himself as innocence in search of justice. If you / the government expects me to invest my time and my money just for the sake of fighting for justice and to prove my innocence, then the government has to find out a remedy for the same and has to compensate for my time and life and is suppose to bear the cost of my time and expenses incurred towards fighting the legal cases and loss of reputation, social image / monitory benefits, otherwise which I would have been lived happy and healthy life.
10. I believe that it is the country's government duty to ensure that the cases filed by the government or its officers, or citizens against any person or human beings is acceptable; and should have some essence in the allegation or claim against a person or property, if the government or the appointed officers are not using its best yardsticks to identify / file a suitable case against any person in this world then the system, society and government is liable for wasting its time and hard earned tax payers money in the name of investigation, prosecution; and justice, the authority, responsible persons or the government has to be held liable personally and needs to compensated for the losses and damages affected due to their ignorance, negligent and lack of ability to address a issue or matter in the performance of their specified duties.

11. Myself and my parents are charged as an accused criminals under IPC Section 498A and due to this, I lost my job; depending upon others for basic needs; and not able to take care of my aged parents and their needs. I lost my respect and my social status.
12. I believe that it is the government, society, systems fault or failure to deal with the family marital disputes; failure to put a proper guidelines to deal with the family disputes and failures to appoint proper officers in place or to implement a proper yardstick for measurement of the authenticity of a cases filed by the woman against husband and his family members. As in these kinds of allegations, there is no fixed formula to find out whether the allegations made by the wife is believable or not; is it acceptable? Or is this a false and fictitious case filed by the wife for gaining undue advantage? To tell you humbly and honestly my wife filed a false and fictitious case against me and my parents with the help of the available privileged laws. I suffered a lot, still suffering and I am facing difficulty in leading a normal happy and healthy life with my parents; my aged parent's health got upset and were got admitted in hospital weeks together. Since, I am jobless, was not earning, I am not able to take care of my aged parents and their needs. All this is happened just because of filing of one false and fictitious case against me and my parents.
13. My parents are aged and as a son and a human being, it is my duty to take care of them in good health; I have to protect and respect their feelings and social status; just because laws of the land are tied my hands and not allowing me to lead a normal life and lost my job and I am unable to take care of my parents who are aged and suffered a lot and lost. This existing laws, rules, and regulations relating to marriage/ divorce and maintenance are helped my wife in filing a false and fictitious case against me and my parents. So I believe that in this case, the government is liable to pay compensation to me and my aged parents which deprived us from leading a happy and healthy life.
14. If the government is failed to prove the allegations made against any person based on any of its cases or actions taken against anyone in this world and thus causes any damages to anyone because of someone filing of a false and fictitious cases or making false allegations against someone; then the government should take the responsibility for the same and is liable to pay compensation to the person who suffers due to the false allegations.
15. In my case, it is the government appointed police officer's who has arrested me and my parents based on the false allegation made against us by the wife; the police officers are 100% aware and entire police station staff is aware of that we are innocent and the allegations made by the wife are false but still failed to perform their duties in a proper way and charged a case against us arrested us; we are treated as criminals in front of general public and we all suffered a lot. We have spent our time in vain and pain; my

family reputations and our social image were damaged and our feelings were hurt very badly. So I believe that government is liable to pay Rs.10,00,00,000 (Rupees Ten Crores) as compensation to me and my aged parents for supporting / providing a facility to a woman in filing a false case against me and my aged parents and failure to appoint of honest and proper investigation police officer. Out of the Rs.10 Crores, 90% of the compensation amount may please be deposited into the Prime Minister's National Relief Fund in the name of "Om Vijay Vamshi" and the receipt may please be forwarded to my above mentioned address. Balance 10% of compensation amount may please be deposited to my bank account.

16. Wherever the government is supporting its citizens or failure to appoint proper government agencies, officers, authorities in place for the protection of general public at large; just by believing the investigation officers, and others words and taking actions on anyone in this universe, then the government will be held liable for the same for supporting its citizens or for failure to put proper checks and controls in place to safeguard the common man interest in the fight for justice and equity. I believe that the government must have a suitable yard stick to measure the authenticity of the allegations against anyone in this world. If the government believes its officers words or ill minded citizen's words and taking actions based on their words against anyone and due to this kind of activity if a common man suffers then it is the government responsibility to compensate for the damages. So I believe that in my case almost for 18 months we suffered a lot and thus the government is liable for the same.
17. Through this memorandum, I just want to convey to the government that the common man life in this universe / country is not so cheap. Nobody in this world should think that the common man life would be wasted in the name of investigation, prosecution and putting him behind the bars; fixing him under false allegations. Fighting for years together to prove his innocence. Every beings on this earth has every right to lead a happy and healthy life in whatever the way they like without hurting others feelings; wasting of his time, doing unwilling and unwanted things and wasting his energy and money in fighting for a false and fictitious legal suit filed against him is not at all acceptable.
18. I believe and understand that as a human being and son of aged parents, it is my duty and right to protect myself and my parent's life and to live happy and healthy life in this world without any disturbance from any government or from anyone in this world.
19. Further, in compliance of the memorandum dated 09 May 2012 which was submitted to your good self through the Deputy Commissioner, Shimoga Dist, Shimoga. Till time I have not received any response from the Hon'ble President of India / the government; so, it is deemed to be considered that the points discussed and the views expressed in the

memorandum dated 09 May 2012 has been accepted by the Hon'ble President of India / the government and I personally thank you, the Hon'ble President of India / the Indian Government and all the concerned government servants for your kind patience and support.

20. In these days since year 2010 in order to fight for my right against the false and fictitious cases filed against me and my parents and in compliance of the laws, rules, and regulations of the court orders; so far, I have deposited Rs.33,000 (Rupees Thirty Three thousand) to court; and have incurred other related expenditure approximately around Rs.1,50,000 (Rupees One Lakh Fifty Thousand). Hence, I request the Hon'ble President of India / government to pay the same and request to arrange for deposit of Rs.1,83,000 (Rupees One Lakh Eighty Three Thousand) to my bank account mentioned below and request the government to close all the cases against me and my parents and allow us to live a happy and healthy life in this universe.
21. Further if, the government would like to continue the 498A proceedings and Maintenance cases against me and my parents; then the Indian government would be liable to pay Rs. 25,00,000 Per Annum (Rupees Twenty Five Lakhs Per Annum) to me and my parents to fulfil our life needs and expenditures. We do need money to live and lead a happy and healthy life; just because of this 498A case and Maintenance cases are filed in two different cities in Bhadravathi and Bangalore; to speak out practically, being a accused person in criminal cases it is difficult to get employment in this corporate world; I am not able to go for employment; and I will not be in a position to take care of my aged parents and their needs; being a human being and a responsible son of an aged parents; I do have responsibilities and duties towards my parents; to fulfil their medical needs and necessities of life; and to fulfil their dreams and wishes, I do need money which otherwise I would have been earned and taken care of my aged parents needs. So the government laws, rules, and regulations are tied my hand by filing false cases against me and my parents and thus not allowing me to work and earn for my needs; so practically speaking, it is governments responsibilities and liability to provide for the compensation of Rs.25,00,000 Per Annum (Rupees Twenty Five Lakh Per Annum) till the disposal of the pending cases against me and my parents. Honestly speaking, I do have strong faith in the Indian Judicial system, I am sure I will come out as clean as dew drop and would be able to prove that the allegations made against me and my parents are false. But the time consuming is always there in court proceedings so to keep up my life till time I need compensation. So, request the Hon'ble President of India / the Indian Government to look into the matter kindly, think positive and oblige for the same.
22. In case the Hon'ble President of India would like to meet and discuss the matter in detail may meet in person on 30 June 2012 at 11:00 A.M on the address mentioned above.

Further I would like to mention that the Hon'ble president of India / the Indian government is free to take any amicable suitable decision and communicate the same to me on or before 30 June 2012 in writing.

23. Failure to receive any written communication from the Hon'ble President of India on or before 30 June 2012, it is deemed to be considered as the Hon'ble President of India / Government of India is agreed to close all cases pending against me and my parents and further agrees to deposit the total amount of Rs.1,01,83,000 (Rupees One Crore One Lakh Eighty Three Thousand) to my Bank Account.
24. I humbly, request the Hon'ble President of India / the Indian Government to deposit the amount of Rs.1,01,83,000 (Rupees One Crore One Lakh Eighty Three Thousand) to my bank account details provided below on or before 30 July 2012; failure to deposit the amount on or before 30 July 2012, Interest at the rate of 18% Per Annum is payable in addition to the amount due to me till the payment of the entire amount due to me.

Bank Account Details:

Name of the Bank : Union Bank of India

Branch Address : Near Municipal office, Tarikere Road, Bhadravathi

Name : Om Vijay Vamshi

S.B A/c No: 634402010000357

IFSC Code : UBIN0563447

25. Through this memorandum, I once again request the Hon'ble president of India to discuss the suggestions provided in the memorandum dated 09 May 2012 in the Indian Parliament House for seeking the parliament house opinion on the matter; and I would like to be a part of the discussion on the matter. Hence, please intimate me 30 days (Thirty days) in advance to the above mentioned address, before the date and time to be fixed for discussion of the memorandum in the Parliament House.
26. I look forward for an honest, humble and mankind response to the memorandum from the Hon'ble President of India.

Wish you a very happy and enjoyable life.

Have a happy and peaceful time.

Thank you,



Faithful Citizen
(Om Vijay Vamshi)