



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2015

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

CRL.OP. (MD) No.21477 of 2015

Kala : Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Kanyakumari District.

2.The Deputy Superintendent of Police,
Takkalai Sub Division,
Kanniyakumari District.

3.The Inspector of Police,
Takkalai Sub Division,
Kanniyakumari District.

: Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to direct the respondents 1 and 2 to instruct the respondent No.3 for not to harass the petitioner and her family members by considering the representation preferred by the petitioner dated 02.10.2015.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.A.P.Balasubramani

Government Advocate(Crl. Side)

O R D E R

The petitioner has come forward with this petition seeking for a direction, directing the 3rd respondent not to harass the petitioner and her family members by considering the representation preferred by the petitioner, dated 02.10.2015.

2. Mr.R.Alagumani, learned counsel appearing for the petitioner submitted that the 3rd respondent police trespassed into the petitioner's house in midnight, under the guise of enquiry and harass the petitioner. He also submitted that the respondent police forcibly extorted 15 sovereign of gold jewels from the



petitioner. Therefore, the petitioner has come forward with this application, for the relief as stated supra.

3. Mr.A.P.Balasubramani, learned Government Advocate (Crl. Side), on instructions, would submit that there is no harassment against the petitioner. He would further submit that more than 15 cases have been registered against the petitioner's husband. Continuing his argument he would submit that the police has not extorted 15 sovereigns of gold jewels, as contended by the petitioner and in order to safeguard the petitioner's husband, the petitioner has come forward with the present application and it is nothing but abuse of process of law. Therefore, he prayed for dismissal of the Criminal Original Petition.

4. I have heard the learned counsel appearing on either side and perused the materials available on record.

5. It is not in dispute that the husband of the petitioner is facing more than 15 criminal cases. As rightly pointed out by the learned Government Advocate (crl.side), the police, in order to enquiry the husband of the petitioner, entered into the premises of the petitioner and it cannot be said to be any harassment. Hence, I find no reason to grant the relief sought for by the petitioner.

6. In the result, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(T & P)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Kanyakumari District.
 - 2.The Deputy Superintendent of Police,
Takkalai Sub Division,Kanniyakumari District.
 - 3.The Inspector of Police,
Takkalai Sub Division, Kanniyakumari District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,Madurai.
- +1cc to Mr.R.ALAGUMANI,Advocate Sr.No. 65848
MPK
AA/NGM-SS/AR-I/26.11.2015/2p-6c