



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2015

CORAM:

**THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN**

Criminal Original Petition (MD) No.2156 Of 2015

WEB COPY

Thatchinamoorthy

... Petitioner

Vs.

1.The Commissioner of Police,  
Madurai City, Madurai.

2.The Inspector of Police,  
Anti Dowry Wing,  
All Women Police Station,  
South Veli Street, Madurai -1.

3.B.Palaniselvi

... Respondents

**PRAYER:** This petition is preferred under Section 482 Cr.P.C., to direct the first respondent, who in turn issue necessary direction to the second respondent police not to harass the petitioner on the basis of the complaint in the form of representation, dated 04.02.2015 made to the first respondent.

For Petitioner : Mr.K.Kannan

For R-1 & R-2 : Mr.K.Anbarasan  
Government Advocate(Crl. Side)

For R-3 : Mr.G.Ganeshkumar

### ORDER

The petitioner approaches this Court with a prayer to direct the second respondent not to harass the petitioner.

2. The grievance expressed by the petitioner is that he has filed a petition for divorce in H.M.O.P.No.92 of 2015 on the file of the Family Court, Madurai under Section 13(1) (i-a)(i-b) of Hindu Marriage Act and as a counterblast to the said case, the third respondent/wife, has filed a false complaint and under the guise of enquiry, he is being harassed everyday and consequently, his livelihood is also affected.

3. The learned Government Advocate(Crl. Side) would submit that the third respondent/wife of the petitioner herein has lodged a complaint alleging harassment on account of dowry and bigamy and only in connection with the said complaint, the petitioner is summoned for the purpose of enquiry and so far, they have not registered any case based on the complaint given by the third respondent.

4. The learned counsel appearing for the third respondent would submit that the first marriage is subsisted and in spite of the pendency of the petition for divorce, the petitioner has contracted the second marriage and begotten a female child.



5. This Court has considered the rival submissions and also perused the materials placed before this Court.

6. The second respondent has called for the petitioner for enquiry in connection with the complaint given by the third respondent alleging dowry harassment and bigamy and therefore, the petitioner is expected to attend the enquiry. However, it is made clear that the second respondent under the guise of conducting enquiry, need not be unnecessarily harass the petitioner and shall proceed with the enquiry strictly in accordance with law.

This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Commissioner of Police,  
Madurai City, Madurai.

2.The Inspector of Police,  
Anti Dowry Wing,  
All Women Police Station,  
South Veli Street, Madurai -1.

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

+1cc to Mr.G.Ganesh Kumar,Advocate, SR.No.6886

+1cc to Mr.K.Kannan,Advocate, SR.No.7220

Crl.O.P(MD).No.2156 of 2015  
13.02.2015

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