



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

Cr1.O.P. (MD) No.11421 of 2016

WEB COPY

1.Jegadeeshkumar
2.Krishnaveni
3.Perumal
4.Geetha

... Petitioners

-vs-

1.The Superintendent of Police,
Theni District.
2.The Inspector of Police,
All Woman Police Station,
Bodinayakanoor,
Theni District.

... Respondents

PRAYER: Criminal Original Petition is filed, under Section 482 Cr.P.C., praying to direct the 1st Respondent to instruct the 2nd Respondent not to harass the petitioners under the guise of enquiry without any case.

For Petitioners : Mr.A.Uthayakumar

For Respondents : Mr.P.Kandasamy

Govt.Advocate (Cr1.Side)

O R D E R

Petitioners, who are the members of the same family seeks a direction to the respondent police that they shall not be harassed at the behest of Geethalakshmi, who is the wife of 1st petitioner.

2.Between the 1st petitioner and the said Geethalakshmi there is a matrimonial criminal case, that case was investigated, final report has been filed and taken on file in C.C.No.208 of 2014, by the learned Judicial Magistrate, Bodinayakanur. However, according to the learned counsel for the petitioners again the 2nd respondent is calling the petitioners and harassing them.

3.The learned Government Advocate (Criminal side) submitted that the present case is a different case. Geethalakshmi gave a fresh complaint alleging that the petitioners have criminally intimidated her and that is being enquired into and summons under Section 91 Cr.P.C. has been issued. The learned Government Advocate (Criminal side) also would submit that due enquiry will be conducted. They will not be harassed.



4. In the circumstances, the submission of the learned Government Advocate (Criminal side) that the petitioner will not be harassed and enquiry will be conducted as per law is recorded. It is also made clear that they can enquire strictly in accordance with law and strictly following the directions issued in **D.K. BASU V. STATE OF WEST BENGAL [1997 (1) SCC 416]**.

5. Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To:

1. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
2. The Superintendent of Police, Theni District.
3. The Inspector of Police,
All Woman Police Station, Bodinayakanoor, Theni District.

+1 cc to M/s.A.Uthayakumar, Advocate in SR.No.36259

sj

CSL/AAL-MPA/20.07.2016 : 2p/5c

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