



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Crl.O.P. (MD) No.13165 of 2016

- 1.M.Arangasamy
- 2.M.Periyasamy
- 3.C.Subramaniam
- 4.Ponnusamy
- 5.N.Thangarasu
- 6.Rasalingam
- 7.Rangasami
- 8.Ganesan
- 9.M.Naatrayan
- 10.G.Palanivel
- 11.N.Sivakumar
- 12.K.Selvam
- 13.S.Nalasivam
- 14.P.Ganesan

..Petitioners

Vs.

- 1.The Inspector of Police,
Pasupathipalayam Police Station,
Pasupathipalayam,
Karur District.

- 2.N.Palanivel

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondent police not to harass the petitioners without due Procedure of Law.

For Petitioners	: Mr.V.Thillaikumar
For 1 st Respondent	: Mr.A.P.Balasubramani, Government Advocate. (Criminal side)
For 2 nd Respondent	: Mr.V.Karthikeyan

ORDER

It is an application seeking a direction to the first respondent not to harass the petitioners without due process of law.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the first respondent and also the learned counsel for the second respondent.

3.The complaint is in respect of ex-communication of the second respondent since he has entered into an inter-caste marriage in the year 1995.

4.The learned Government Advocate (Crl.side) for the first respondent would submit that with regard to the first complaint preferred by the second respondent, already enquiry had been conducted by the Velayuthampalayam Police Station and it was



closed, because of the fact that the second respondent, who was excommunicated was again accepted as a member of the particular community.

5.The learned counsel appearing for the petitioners would submit that the second respondent has given another complaint before the Pasupathipalayam Police Station and therefore, the same is not maintainable.

6.At this juncture, it is pointed out by the learned counsel for the second respondent that even though the petitioners herein have given undertaking before the Velayuthampalayam Police Station to take back the second respondent, the said undertaking was not acted upon and again, there was excommunication, which resulted in preferring the present complaint by the second respondent.

7.There is an undertaking on behalf of the petitioners that as per the undertaking given before the Velayuthampalayam Police Station, they are ready to take back the second respondent and even they are ready to make such a statement before the first respondent herein, who is now enquiring into the matter.

8.The said undertaking given by the learned counsel for the petitioners is recorded and if such a statement is given before the first respondent, there is no scope for the first respondent to harass the petitioners.

9.Recording the said statement, this Criminal Original Petition is closed accordingly.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1.The Inspector of Police, Pasupathipalayam Police Station,
Pasupathipalayam, Karur District.

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

+2cc to M/s.V.Karthikeyan, Advocate in SR.40619
+1cc to M/s.V.Thillaikumar, Advocate in SR.40675

Cr1.O.P.(MD)No.13165 of 2016
29.07.2016

MJ

PBK/AAL-MPA/SAR-III 05/08/2016 ::2P-6C:: (IT)