

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 11.11.2016****CORAM:**

WEB COPY

THE HONOURABLE MR JUSTICE K.KALYANASUNDARAM**Cr1.O.P. (MD) .No.21466 of 2016**

D.Subburathinavel

.. Petitioner

Vs.

1.State represented by
The Inspector of Police,
All Women Police Station,
Nagercoil, Kanyakumari District.

2.Ambika @ Mahalakshmi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the first respondent not to harass the petitioner and his family members by directing them to handover the children of the petitioner to the second respondent, while civil case is pending in the appropriate forum.

For Petitioner : Mr.T.Vadivelan
For respondents : Mr.K.Anbarasan
Government Advocate
(Criminal side)
for R.1

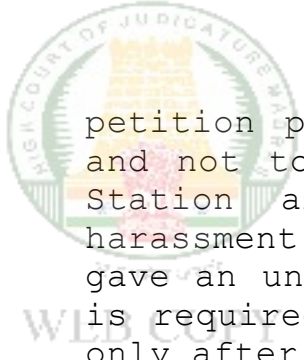
ORDER

It is an application seeking a direction to the first respondent not to harass the petitioner and his family members by directing them to handover the children of the petitioner to the second respondent, while civil case is pending in the appropriate forum.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1. Side) for the first respondent.

3.The learned counsel for the petitioner would submit that the respondent Police frequently called the petitioner to the Police Station and harassed him and his family members under the guise of enquiry in respect of a civil dispute.

4.The learned Government Advocate (Criminal Side) submitted that petitioner was called only for enquiry in respect of a



petition pending against him on the complaint given by his wife and not to decide the civil rights of the parties in the Police Station and that the respondent Police did not cause any harassment to the petitioner and his family members. However, he gave an undertaking that if at all the presence of the petitioner is required, the respondent would call the petitioner for enquiry only after issuing summons giving specific date, time and place.

5. Recording the above undertaking given by the learned Government Advocate, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
All Women Police Station,
Nagercoil, Kanyakumari District.

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

Ssl

CSL/SS-2/AR-CS-II/24.11.2016 :2P/3C

Crl.O.P (MD) No.21466 of 2016
11.11.2016