

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 24.10.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR**CRL.O.P. (MD) .No.14155 of 2017**

Jeevanantham

... Petitioner

Vs.

1. The Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District.

2. Saravanankumari

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the first respondent police not to harass the petitioner and his family members in the guise of enquiry.

For Petitioner : Mr.S.Vinayagam
For R-1 : Mr.K.S.Durai Pandiyan,
Additional Public Prosecutor.

ORDER

This Criminal Original petition is filed for issuing a direction to the first respondent police not to harass the petitioner and his family members in the guise of enquiry.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

3. The petitioner states that the second respondent has lodged a false complaint against the petitioner, as if the petitioner gave a false promise to marry her and that he refused to marry her, after having close intimacy with her. It is further stated that on the basis of the said complaint, the first respondent has directed the petitioner to appear before him on 21.09.2017 and that despite detailed explanation, the first respondent police is harassing the petitioner under the guise of enquiry.



4. Learned Additional Public Prosecutor on instructions submitted that there was no harassment and that the petitioner was just called for an enquiry.

5. Having regard to the nature of the complaint as disclosed in the petition, the first respondent has no power to compel the petitioner to marry any one. If the petitioner's appearance is required for any enquiry, the same can also be done only after issuing summons prescribing date and time and following the Judgment of the Hon'ble Supreme Court, in the case of D.K. Basu Vs. State of West Bengal. There need not be any harassment to the petitioner. If any cognizable offence is made out from the complaint received against the petitioner, the same can be dealt with in the manner known to law, without any harassment to the petitioner.

6. With the above observation, the Criminal Original petition is closed.

Sd/-

Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
All Women Police Station,
Karaikudi,
Sivagangai District.

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

+1cc to M/S.M.S.JEYAKARTHIK, Advocate SR.No.83579.

Crl.O.P. (MD) .No.14155 of 2017
24.10.2017

pmu

SDS/RSK/SAR 2/01.11.2017/2P/4C