



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.(MD) No.3902 of 2017

1.Subaitha  
2.Mumtaj  
3.J.Shanavas

... Petitioners

-VS-

1.Deputy Inspector General of Police,  
Tirunelveli Range, Tirunelveli.

2.The Superintendent of Police  
Kanyakumari District, District Police Office Campus,  
Nagercoil.

3.The Inspector of Police,  
All Women Police Station,  
Nagercoil

... Respondents

**Prayer:** Criminal Original Petition filed under Section 482 of Cr.P.C., praying to direct the respondents not to harass the petitioners in the name of enquiry by the 3<sup>rd</sup> respondent.

For Petitioners : Mr.P.Prabhakaran

For Respondents : Mr.A.P.Balasubramani  
Government Advocate (Cr1. side)

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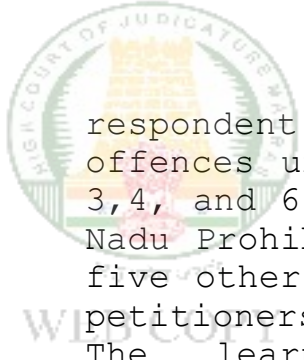
**ORDER**

This petition has been filed for a direction to the respondent police not to harass the petitioners in the name of enquiry by the 3<sup>rd</sup> respondent.

2. Heard the learned counsel for the petitioners and the learned Government Advocate for the respondents.

3. Ms.Mary Viji, Sub Inspector of Police, All Women Police Station is present before this Court.

4. The learned Government Advocate, on instructions, submitted that on the complaint given by Nilophar Sherin, the 2<sup>nd</sup>



respondent police registered a case in Crime No.14/2015 for offences under Sections 498(A), 406, 323, 506(i) IPC and Sections 3,4, and 6 of the Dowry Prohibition Act and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act against Sadiq Ali and five others including the petitioners herein. It is true that the petitioners were granted anticipatory bail in Crime No.14/2015. The learned Government Advocate further submitted that investigation has been completed in Crime No.14/2015 and chargesheet has also been filed before the Judicial Magistrate, No.II, Nagercoil, against Sadiq Ali and these petitioners for the aforesaid offences. Since Sadiq Ali is in abscondance, the police have gone to the house of the accused in search of Sadiq Ali and that has been misconstrued by the petitioners as harassment.

5. In the considered opinion of this Court, it is the duty of the police to execute the non bailable warrant against Sadiq Ali and the petitioners shall cooperate with the police in their endeavour. However, the police should not unnecessarily harass the petitioners.

With the above observation, this criminal original petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To:

1. Deputy Inspector General of Police,  
Tirunelveli Range, Tirunelveli.
2. The Superintendent of Police  
Kanyakumari District, District Police Office Campus,  
Nagercoil.
3. The Inspector of Police,  
All Women Police Station,  
Nagercoil
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 cc to MR.P.Prabhakaran , Advocate in SR.No. 50292

RR

AE/RR/18.04.2017/2P/6C