



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2017

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THE HON'BLE MR.JUSTICE S.S.SUNDAR

Crl.O.P.(MD) No.9497 of 2017

S.Navaneetha Krishnan

... Petitioner

-Vs-

1. The Superintendent of Police,
Sivagangai District, Sivagangai.

2. The Deputy Superintendent of Police,
Sivagangai, Sivagangai District.

3. The Inspector of Police,
All Women Police Station,
Manamadurai, Sivagangai District.

4. Divya Bharathi

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the third respondent police not to harass the petitioner in the guise of enquiry.

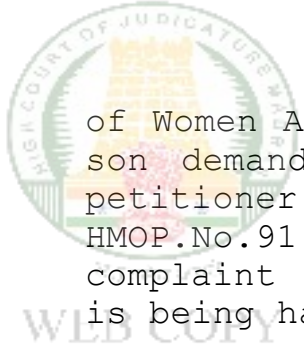
For Petitioner : Mr.R.R. Kannan
For R1 to R3 : Mr.K.Anbarasan,
Government Advocate(Crl.side).

O R D E R

This Criminal Original petition is filed seeking a direction to the third respondent police not to harass the petitioner under the guise of enquiry.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal side) appearing for the respondents.

3. The learned counsel appearing for the petitioner submits that the petitioner's elder son and the fourth respondent got married in the year 2015 and thereafter, they were living separately. It is also submitted that the fourth respondent has filed a criminal complaint for the offences under Sections 498(A), 406 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment



of Women Act, 2002 in Crime No.14 of 2016, as if the petitioner's son demanded dowry and threatened her. It is also case of the petitioner that the petitioner's son filed a petition in HMOP.No.91 of 2017. In such circumstances, on the basis of the complaint that was given by the fourth respondent, the petitioner is being harassed under the guise of enquiry.

4. The learned Government Advocate (Crl. Side) on instructions would submit that there is no harassment in this case and it was only an usual enquiry, that was conducted by the police in respect of the complaint received from the fourth respondent. The petitioner is the father of the fourth respondent's husband. Further, the complaint does not disclose any serious nature of allegations against the petitioner and hence, enquiry about the complaint given by the fourth respondent is only formal. He also undertakes that if the presence of the petitioner is required for any enquiry, it shall be done only after issuing summons prescribing date and time and in the manner prescribed in law.

5. Having regard to the facts and circumstances of the case, this petition is closed. However, there shall be a direction to the respondent Police not to harass the petitioner under the guise of the enquiry. Even if the petitioner is required for any enquiry in connection with criminal complaint, the same shall be done after issuing summons to the petitioner.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar.

To

1. The Superintendent of Police, Sivagangai District, Sivagangai.
2. The Deputy Superintendent of Police,
Sivagangai, Sivagangai District.
3. The Inspector of Police, All Women Police Station,
Manamadurai, Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.RR.Kannan, Advocate, SR.No.67154

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