



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE P. RAJAMANICKAM

CRL.O.P. (MD) No.2741 of 2018

- 1.S.Anandan
- 2.K.Solaiappan
- 3.S.Kuruvammal
- 4.S.Muthupandi
- 5.M.Nithya

... Petitioners

-Vs-

The state represented the
1. The Inspector of Police,
All Women Police Station,
Ramanathapuram,
Ramanathapuram District.

2. Suganya
3. D.Sureshkumar

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the first respondent not to harass the petitioners in the guise of enquiry based on the complaint given by the second respondent.

For Petitioners	: Mr.R.Amarnath
For 1 st Respondent	: Mr.Prabu Ramachandran, Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the first respondent not to harass the petitioners on the complaint given by the second respondent under the guise of enquiry.

2.Heard Mr.R.Amarnath, the learned counsel appearing for the petitioners and Mr.Prabu Ramachandran, the learned Government Advocate (Crl.Side) appearing for the first respondent.

3.The learned counsel appearing for the petitioner has submitted that the first petitioner got married the second respondent on 04.12.2016 and subsequently due to some misunderstanding between the first petitioner and the second respondent, the second respondent has left the matrimonial home and



now she is residing with her parents. She gave a false complaint before the first respondent and based on the said complaint the first respondent is harassing the petitioners.

4. The learned Government Advocate (Crl.side) has submitted that the second respondent has lodged a complaint before the first respondent against the petitioners herein stating that the first petitioner is an impotent and suppressing the said fact, the petitioner has married the second respondent and the said complaint is still pending for enquiry.

5. Considering the aforesaid submissions, the first respondent is directed to enquire the matter and if the enquiry reveals any cognizable offence then he has to register a case and proceed further in accordance with law. In case, the enquiry reveals that the dispute is civil in nature then the first respondent has to direct the parties to approach the Civil Court and get appropriate remedy. During enquiry the petitioners should not be subjected to any unnecessary harassment.

6. With the aforesaid observations, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
All Women Police Station,
Ramanathapuram,
Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.R.AMARNATH, ADVOCATE IN SR No. 52133

DAS

TE/JC/SAR-4 : 14/03/2018 : 2P/4C

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