



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.3808 of 2018

Sivasankar

... Petitioner

-vs-

1. The Superintendent of Police,
Tirunelveli District.

2. The Inspector of Police,
All Women Police Station,
Alangulam,
Tirunelveli District.

3. R.Subhasharmini Devi

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the first respondent to instruct the second respondent not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.A.Uthayakumar

For R-1 and R-2 : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the first respondent to instruct the second respondent not to harass the petitioner under the guise of enquiry.

2.The learned counsel for the petitioner has submitted that the marriage between the petitioner and one Subba Sarmili Devi was solemnized on 12.12.2013 and thereafter, they were living together for a short period. Subsequently, she left from the matrimonial home and hence, the petitioner made a request to her to come and live in the matrimonial home, but, so far, she refused to come and also abused him with filthy languages and hence, the petitioner has lodged a complaint. But, so far, no action has been taken. On the contrary, the third respondent gave a false complaint against the petitioner herein and based on the said complaint the second respondent is harassing the petitioner.



4.The learned Government Advocate (Crl.Side) has submitted that the third respondent gave a complaint against the petitioner before the second respondent and the same is pending for enquiry.

5.Considering the aforesaid submissions, the second respondent is directed to expedite the enquiry and if the enquiry reveals any cognizable offence, then he has to register a case and proceed further in accordance with law and in case, enquiry reveals only a family dispute, then she has to direct the parties to approach the Civil Court and get appropriate remedy.

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

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Mr.A.Uthayakumar, Advocate Sr.No.57168

LS

VB/JC/SAR4/17/04/2018/2P/5C

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