



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.03.2018

CORAM:
THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD) No.3836 of 2018

WEB COPY

1.C.S.Vijikumar
2.Santhakumari
3.Chellaiyan
4.Sobitha

... Petitioners

-vs-

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
All Women Police Station,
Kuzhithurai,
Kanyakumari District.

3.Kohila Rani

... Respondents

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

For Petitioner : Mr.D.Srinivasaragavan

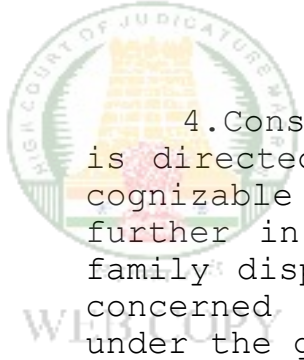
For R-1 and R-2 : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

ORDER

This petition has been filed to direct the second respondent police herein not to harass the petitioners herein under the guise of enquiry.

2.The learned counsel for the petitioner has submitted that the marriage between the first petitioner and the third respondent was solemnized on 29.01.2001 and out of wedlock one male child was born. He further submitted that the third respondent left from matrimonial home and gave a false complaint and based on the said complaint the second respondent is harassing the petitioners.

3.The learned Government Advocate (Criminal Side) has submitted that after receipt of the complaint from the third respondent, the second respondent has issued C.S.R.No.283 of 2017 and enquiry is still pending.



4.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. In case the enquiry disclose only family dispute then she has to direct the parties to approach the concerned Court and get remedy and should not harass petitioners under the guise of enquiry.

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

Sd/
Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
All Women Police Station,
Kuzhithurai,
Kanyakumari District.

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

+1cc to Mr.D.Srinivasaragavan, Advocate, SR.No. 56995

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KK/KKR/12.04.2018/SAR-4/2P-5C