



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.03.2018
CORAM

THE HONOURABLE MR.JUSTICE **P.RAJAMANICKAM**

WEB COPY

Crl.O.P.(MD) No.3931 of 2018

Vijayalekshmi

...Petitioner

-Vs-

The State of represented by

1.The Inspector of Police,
All Women Police Station
Kanniyakumari
Kanniyakumari District.

2.A.Sivakami

...Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the 1st respondent not to harass the petitioner under the guise of enquiry on receipt of the complaint of the second respondent except following the due process of law.

For Petitioner	: Mr.B.Tamil Nidhi
For 1 st Respondent	: Mr.Prabhu Ramachandran Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the first respondent not to harass the petitioner under the guise of enquiry.

2.The learned counsel appearing for the petitioner has submitted that the petitioner's son namely M.Kartheeswaran married one Kalyani, who is the daughter of the second respondent herein and out of wed-lock a female child was born on 01.09.2015 and thereafter, the said Kalyani died on 11.11.2017. He further submitted that the said female child is in custody of the second respondent and she claimed money for maintaining the said child from the petitioner's son and hence, the petitioner's son is making payment of Rs.5,000/- per month. But, not satisfied with the same, the first respondent has shown a gold loan receipt, which indicates that the second respondent pledged her jewels in a State Bank, Travancore, on 19.05.2017 for Rs.2,40,000/- and he insisted to redeem the said jewels and thereby, he is harassing the petitioner.

<https://hcservices.courts.gov.in/hcservices/>
3.The learned Government Advocate (Crl.side) has submitted that one complaint has been received from the second respondent by



the first respondent and after enquiry, the same was closed on 25.11.2017. Thereafter, no fresh complaint has been received and hence, the allegation that the petitioner has been harassed by the first respondent is totally false.

4.The learned counsel appearing for the petitioner by way of reply has submitted that even two weeks ago, the first respondent called the petitioner over phone and insisted the petitioner to redeem the second respondent's jewels from the bank.

5.But, the petitioner has not produced any material to show that the first respondent has contact her over phone and insisted her to redeem the second respondent's jewels from the bank. If she is having any material, then, it is open to her to take appropriate action in accordance with law against the first respondent.

6.The first respondent is directed that if any complaint is received against the petitioner, then he has to enquire the said complaint and if the enquiry reveals any cognizable offence then, he has to register the case and proceed further in accordance with law. Instead of doing so, he should not unnecessarily harass the petitioner.

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

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Inspector of Police,
All Women Police Station
Kanniyakumari
Kanniyakumari District.

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

+ 1 cc TO Mr.B.Tamil Nidhi , Advocate in SR No. 57169

das
AE/SV MMS/SAR4/16.04.2018/2P/4C