



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)Nos.618 to 622 of 2018

In Cr1.O.P(MD)No.618 of 2018

M.Yusuf Sulaiha ... Petitioner

In Cr1.O.P(MD)No.619 of 2018

Sevammal ... Petitioner

In Cr1.O.P(MD)No.620 of 2018

Thasnim ... Petitioner

In Cr1.O.P(MD)No.621 of 2018

N.Mohaideen Parveen ... Petitioner

In Cr1.O.P(MD)No.622 of 2018

T.M.Buhari ... Petitioner

-vs-

1.The State represented through the
Commissioner of Police,
O/o. the Commissioner of Police,
Tirunelveli.

2.The Inspector of Police,
Melapalayam Police Station,
Tirunelveli.

... Respondents
in all the petitions

Common Prayer: Criminal Original petitions are filed under Section 482 of Criminal Procedure Code, to direct the respondents not to harass the petitioner under the guise of enquiry.

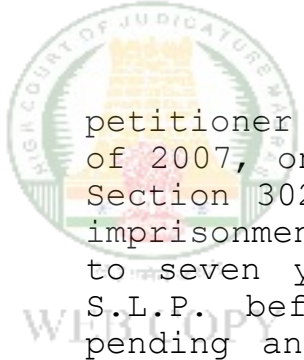
In all petitions

For Petitioners : Mr.S.M.A.Jinnah
For Respondents : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

COMMON ORDER

<https://hcservices.ecourts.gov.in/hcservices/>
These Criminal Original Petitions have been filed by the petitioners, to direct the respondents, not to harass them under the guise of enquiry.

2.The learned counsel appearing for the petitioners has submitted that one Mohamed Thasin who is the husband of the



petitioner in Crl.O.P(MD)No.618 of 2018 was charged in Crime No.271 of 2007, on the file of the second respondent for the offence under Section 302 I.P.C and he was convicted by the Trial Court for life imprisonment. An Appeal, the High Court has modified the sentence to seven years rigorous imprisonment, against which he has filed S.L.P. before the Hon'ble Supreme Court and the same is still pending and he was released on bail. He further submitted that another case in Crime No.941 of 2012, under Sections 147, 323, 506 (ii) I.P.C., has been registered against the said Mohamed Thasin and the same is still pending. He further submitted that eight more cases have also been registered against the said Mohamed Thasin. He further submitted that the respondents without accompanying women police personnel came to the petitioner's house in midnight and kicked the door and abused and threatened the family members with dire consequences. He further submitted that the respondents also forcibly trespassed into the petitioner's parental home on 04.01.2018 in midnight and dragged the petitioner's brother and detained him in secret place. He further submitted that the second respondent is threatening that a false case will be foisted against the petitioner's husband and also harassing the petitioner and her family members under the guise of enquiry.

3.The learned Government Advocate (Crl.Side) has submitted that the cases are pending only against the husband of the petitioner in Crl.O.P(MD)No.618 of 2018, namely, Mohamed Thasin. So far the petitioners are concerned no case is pending against them and no complaint also pending against them and hence, they were not at all called upon for enquiry and the alleged trespass into the petitioner's house is false.

4.Considering the aforesaid submissions, the second respondent is directed not to harass the petitioners. In case, any complaint is received as against the petitioners, it is open to the second respondent, to issue summons to the petitioners and conduct enquiry and if the enquiry reveals any cognizable offence, then he can register a case and proceed further in accordance with law.

5.With the aforesaid observations, these Criminal Original Petitions are disposed of.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Commissioner of Police,
O/o. the Commissioner of Police, Tirunelveli.
- 2.The Inspector of Police, Melapalayam Police Station,
Tirunelveli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai
+One cc to Mr.S.M.A.Jinnah, Advocate, SR.No.42354