



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2018

WEB COPY

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.(MD) No.63 of 2018

1.C.V.Pon Rajesh

2.P.Chinnakaman

3.Vijayarani

... Petitioners

-Vs-

1. The Commissioner of Police,
Madurai City,
Madurai.

2. The State Rep. by
The Inspector of Police,
Sellur Police Station,
Sellur,
Madurai District.

3. Vishwashiri @ Jayashri

4.Bose

5. The Inspector of Police,
All Women Police Station,
Thallakulam,
Madurai.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the second respondent not to harass the petitioners under the guise of enquiry on the basis of false complaint came into existence second time due to close association by the second respondent with fourth respondent forth with.

For Petitioner : Mr.S.Palani Velayutham

<https://hcservices.ecourts.gov.in/hcse/Pides/> R2 & R5 : Mr.K.Anbarasan,
Government Advocate(Cr1.side)
For R3 & R4 : No appearance

**ORDER**

This petition has been filed by the petitioners to direct the second respondent not to harass the petitioners under the guise of enquiry on the basis of false complaint came into existence second time due to close association by the second respondent with fourth respondent.

2.The learned counsel appearing for the petitioners has submitted that already one complaint was given before the All Women Police Station and after enquiry, the same was closed. But, subsequently, the second respondent is everyday calling upon the petitioners under the guise of enquiry and detaining them in the police station till evening. Hence, he prays before this Court for passing an appropriate order.

3.The learned Government Advocate (Crl.side) appearing for the State has submitted that after closing the earlier complaint, a second complaint has been given before the second respondent against the petitioners and hence, the petitioners were called upon for enquiry.

5.Considering the facts and circumstances of the case, if any complaint is given against the petitioners, it is open to the second respondent to call upon the petitioners by issuing summons and conduct enquiry, without unnecessary delay and after enquiry, if the second respondent found that any cognizable offence has been made out against the petitioners, then it is open to the second respondent to register a case against the petitioners and proceed further in accordance with law. But under the guise of enquiry the petitioners should not be subjected to any harassment.

6.With the aforesaid observations, this criminal original petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai City,
Madurai.

2. The Inspector of Police,
All Women Police Station,
Thallakulam, Madurai.



3. The Inspector of Police,
Sellur Police Station,
Sellur,
Madurai District.

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

+ 1 cc TO Mr.S.Palani Velayutham , Advocate in SR No. 40755

rmk

AE/JC/SAR4/09.01.2018/3P/6C

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