



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **13.11.2018**

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA
Cr1.O.P. [MD] No.20125 of 2018

WEB COPY

B.Surya

: Petitioner

vs.

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2. The Inspector of Police,
South Police Station,
Thoothukudi,
Thoothukudi District.

3.Velayutham

4.Ravikumar

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent Nos.3 and 4 not to harass the petitioner based on the petitioner's representation dated 29.10.2018.

For Petitioner : Mr.S.Muthumalairaja

For R1 & R2 : Mr.R.Anandharaj

Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent Nos.3 and 4 not to harass the petitioner based on the petitioner's representation dated 29.10.2018.

2.The learned counsel for the petitioner would submit that the petitioner got married to one John and due to family quarrel, the petitioner is living separately from her husband. Without the knowledge of the petitioner, the petitioner's husband debited a sum of Rs.28,500/- from the petitioner's bank account and he borrowed a sum of Rs.15,000/- from the petitioner's sister and hence, the petitioner had given a complaint against her husband before the All Women Police Station, Thoothukudi on 09.04.2018.

3.Further, the petitioner's sister namely, Priya, asked the petitioner's husband to return the money. Instead of returning the money, the petitioner's husband gave a bike belonging to his



brother in law. But, on the very next day, the another sisters's husband gave a complaint against the petitioner herein and her sister in respect of which, the petitioner was called for enquiry, whereas, the third respondent mistreated the petitioner and her sister using filthy language and threatened them that he is going to file a false case against them. Hence, the complaint.

4.The learned counsel for the petitioner would submit that the petitioner is prepared to appear for enquiry before the second respondent since the third and fourth respondent are ill-treating her during the enquiry.

5.The learned Additional Public Prosecutor would submit that in respect of money dispute between the petitioner and her husband, the petitioner along with her sister had taken away the two wheeler belonging to the husband of the sister in law, thereby, a complaint has been given by the owner of the vehicle. She had been called for enquiry and she had been asked to return the vehicle, whereas, the petitioner had refused to return the vehicle, which was illegally held by her. Since the petitioner is a pregnant woman, the respondent have not registered the case and she has been advised to return the vehicle.

6.At this stage, the learned counsel for the petitioner would submit that the petitioner is prepared to appear before the second respondent for enquiry.

7.The learned Additional Public Prosecutor would submit that if the petitioner appears for enquiry before the second respondent, proper enquiry would be conducted by the second respondent.

8.With these above observations, this criminal original petition is closed.

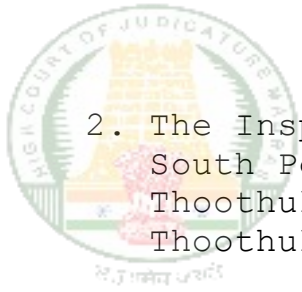
Sd/-
Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.



2. The Inspector of Police,
South Police Station,
Thoothukudi,
Thoothukudi District.

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

+1 cc To Mr.N.PRAGALATHAN, ADVOCATE IN SR NO.95053

mm

MK/KK/RSK/SAR 3/28.12.2018/3P/5C

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