



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE. N. SESHASAYEE

Crl.O.P.[MD].No.3815 of 2019

Sakthivel

: Petitioner

/Vs./

1.The Inspector of Police,
All Women Police Station,
Srivilliputhur,
Virudhunagar District.

2.Annalingammal

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent not to harass the petitioner and his family members in the guise of enquiry based on the complaint given by the second respondent.

For Petitioner : Mr.G.Thalaimutharasu

For R-1 : Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

This criminal original petition is filed to direct the 1st respondent not to harass the petitioner and his family members in the guise of enquiry based on the complaint given by the second respondent.

2. Heard the learned counsel appearing for the petitioner and learned Additional Public Prosecutor.

3. The learned counsel appearing for the petitioner submitted that without issuing summons, the petitioner is being harassed by the respondent police presumably on the basis of the complaint given by the second respondent.

4. The learned Additional Public Prosecutor submitted that the second respondent has preferred a complaint with the respondent police, in which she has alleged about the love affair between her and the petitioner, which has now gone into rough weather. He also added that the respondent police have neither harassed the petitioner nor intended to harass him.

5. The submission of the learned Additional Public Prosecutor is recorded. If the first respondent is instructed that unless the allegation in the complaint discloses *prima facie* commission of crime, he shall step aside. If the first respondent requires the presence of the petitioner for any preliminary interrogation / enquiry in connection with any such pending complaint, the same shall be done by issuing fresh summons under Section 41 A Cr.P.C., mentioning a specific date and time for enquiry and also giving



reasonable time for him to travel to the venue of such enquiry. The petitioner is also directed to co-operate with the enquiry. During enquiry, there shall not be harassment to the petitioner.

6. Accordingly, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Inspector of Police,
All Women Police Station,
Srivilliputhur,
Virudhunagar District.

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

+1cc to Mr.G.THALAIMUTHARASU, Advocate, SR.No. 54052

Cr1.O.P.[MD].No.3815 of 2019

13.03.2019

SM

KK/SAR-/26.03.2019/2P-4C

=