



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.4622 of 2019

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M.Senthil Pandiyarajan

: Petitioner

Vs.

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

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

3.Lakkumi @ Lakshmi

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent not to harass the petitioner in the guise of an enquiry and to follow the due process of law.

For Petitioner

: Mr.M.M.Saravanan

For R1 & R2

: Mr.V.Neelakandan

Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to the second respondent not to harass the petitioner in the guise of an enquiry and to follow the due process of law.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 2. This Court has paid its anxious consideration to the submissions made on either side.

3.The petitioner complains of harassment by the second respondent at the instance of his wife/third respondent herein. The learned counsel for the petitioner submitted that there is matrimonial dispute between him and his wife and that he had filed H.M.O.P.No.879 of 2018 on the file of the Family Court, Madurai for dissolution of marriage. He added that the present complaint is a counter blast to the petition for divorce filed by the petitioner/husband.

4. The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submitted that the complaint given by the third respondent is being enquired into and the respondents 1 and 2 have not harassed the petitioner and they have no intention to harass the petitioner.

5.In such circumstance, if at all the complaint discloses commission of cognizable offence and the second respondent required the presence of the petitioner for interrogation, he shall issue



summons mentioning specific date and time for enquiry and during enquiry, there shall not be any harassment.

6. With the above direction, this Criminal Original Petition is disposed of.

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Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar (CS)

CM/vsd

To

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

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

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

1 CC to M/s.M.M.SARAVANAN, Advocate (SR-57329[F] dated 28/03/2019)

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DS/ /SAR- (22.04.2019) 2P 5C