



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM:

THE HONOURABLE **MR. JUSTICE N. SESHASAYEE**
Crl.O.P. (MD) No. 4990 of 2019

S.Suguna Devi

... Petitioner

/Vs./

1.The Deputy Superintendent of Police,
Vedasandur Sub Division, Vedasandur,
Dindigul District.

2.The Inspector of Police,
All Women Police Station,
Vadamadurai, Dindigul District.

3.N.Jeyasudha

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to direct the respondents 1 and 2 herein not to harass the petitioner and her parents including other family members under the guise of enquiry based on the complaint given by the third respondent.

For Petitioner : Mr.A.Saravanan
For R-1 & R-2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 and 2 herein not to harass the petitioner and her parents including other family members under the guise of enquiry based on the complaint given by the third respondent.

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

3. The learned counsel appearing for the petitioner submitted that the petitioner is the sister-in-law of the third respondent (her husband's sister) and she complains of harassment at the hands of the second respondent. He also added that her brother, the husband of the third respondent, has filed a petition in HMOP before the Principal Sub Court, Vedasandur, for dissolution of the marriage and that the third respondent's husband is now working in Singapore.

4. The learned Additional Public Prosecutor submitted that to obtain the details of the whereabouts of the petitioner's brother, the respondent police have approached her. The respondent police have neither harassed the petitioner nor intended to harass her.

5. The said statement of the learned Additional Public Prosecutor is recorded.

6. This Court now directs the respondent police that if the complaint discloses *prima facie* commission of any cognizable offence, necessarily the investigating Agency should follow the principles in the judgment reported in **2013 (6) CTC 353 [Lalitha Kumari Vs. Government of Uttar Pradesh]**. If on the other hand the second respondent considers that it is necessary to hold any preliminary enquiry / interrogation, the same shall be done only on summons under Section 41 A Cr.P.C., mentioning a specific date and time for enquiry and also giving reasonable time for her 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.

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

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Deputy Superintendent of Police,
Vedasandur Sub Division, Vedasandur, Dindigul District.

2.The Inspector of Police,
All Women Police Station, Vadamadurai, Dindigul District.

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

1 CC to M/s.A.SARAVANAN, Advocate (SR-58839[F] dated 04/04/2019)

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