



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
Crl.O.P. (MD) No.9843 of 2019

WEB COPY

Mr.P.Prawinster

: Petitioner

Versus

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

2.The Deputy Superintendent of Police,
Thoothukudi Town,
Thoothukudi District.

3.The Inspector of Police,
North Police Station,
Thoothukudi,
Thoothukudi District.

4.Mrs.P.Smiley Rajakumari

: Respondents

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code praying to issue a direction, directing the respondents 2 and 3 herein not to harass the petitioner and his family members.

For Petitioner : Mr.S.Bharathy Kannan
For Respondents 1to3 : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to the second and third respondents herein not to harass the petitioner and his family members.

2. The grievance of the petitioner is that, he got married to the fourth respondent on 04.09.2013 and out of their wedlock, a child, by name Godwin Prabhu was born. The child is now studying at St. Patrick's Primary and Nursery School, Mattakadai (Near 1st Gate), Thoothukudi Town. Based on the complaint given by the fourth respondent alleging that the petitioner has illegally taken the minor child from her custody, the third respondent police is harassing the petitioner. Hence, the present petition has been filed.



3. Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the respondents 1 to 3, on instructions, submitted that the petitioner is the father of a minor child and the child is studying at St. Patrick's Primary and Nursery School, Mattakadai (Near 1st Gate), Thoothukudi Town. Now, the Principal of the School lodged a complaint before the third respondent alleging that the petitioner has forcibly taken the minor from the School without informing the School authorities and based on the complaint, enquiry is being conducted and now, the petitioner, without even appearing for enquiry, filed the present petition.

4. Considering the fact that enquiry is being conducted, based on the complaint given by the Principal of the School alleging that the petitioner has forcibly taken the minor child from the School, the petitioner was called only for the purpose of enquiry, without even appearing for enquiry, the petitioner has filed the present petition seeking a direction not to harass him. In the above said circumstances, the relief sought for by the petitioner in the present petition cannot be granted at this stage. Hence, the Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

SML

To

- 1.The Superintendent of Police,
Thoothukudi District, Thoothukudi.
- 2.The Deputy Superintendent of Police,
Thoothukudi Town, Thoothukudi District.
- 3.The Inspector of Police,
North Police Station,
Thoothukudi, Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.BHARATHY KANNAN, Advocate SR-75247

Order made in
Cr1.O.P. (MD) No.9843 of 2019
Dated: 12.07.2019