

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.OP.No.3532 of 2020

A.Jamuna

...Petitioner

-vs-

The State Rep by its
The Inspector of Police (Law and Order)
H-1, Old Washermenpet Police Station,
Chennai - 600 021.

...Respondent

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent not to harass the petitioner under the guise of conducting an enquiry on the complaint dated 5.2.2020.

For Petitioner : Mr.D.Sivaraam

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent not to harass the petitioner under the guise of conducting an enquiry on the complaint dated 5.2.2020.

2. The learned counsel for the petitioner has submitted that based on the complaint lodged by one Gomathi, the respondent has registered an FIR in Cr.No.853 of 2019 against the petitioner's husband namely Anthik Charles under Sections 341, 294(b), 323 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002. He further submitted that based on the said FIR, the petitioner's husband was arrested and subsequently he was released on bail on 17.09.2019 itself. But even thereafter, the respondent is harassing the petitioner's husband.

3. Per contra, the learned Additional Public Prosecutor has

submitted that the petitioner herein has lodged a complaint against one Gomathi and after receipt of the said complaint CSR.No.399 of 2019 was issued and after preliminary enquiry the said complaint was closed on 10.06.2019. He further submitted that the said Gomathi in turn has lodged a complaint against the petitioner's husband based on the same FIR in Crime No.853 of 2019 was registered. Only for investigation purpose, the petitioner's husband was called but neither the petitioner nor her husband were subjected to any harassment.

4. Since already the petitioner's husband was arrested and subsequently released on bail in Cr.No.853 of 2019, unless any fresh complaint is received against the petitioner or her husband, the respondent should not unnecessarily call them under the guise of enquiry / investigation.

5. With the aforesaid directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

drl

To

1.The Inspector of Police (Law and Order)
H-1, Old Washermenpet Police Station,
Chennai - 600 021.

2.The Public Prosecutor,
High Court,
Madras.

+lcc to Mr.D.Shivaraam, Advocate, S.R.No.14020

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CRL.O.P.No.3532 of 2020

RV(CO)
RN(28/05/2020)