



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P (MD) No.4350 of 2020

P.Nagarajan

... Petitioner

Vs

1.The Superintendent of Police,
Pudukkottai District.

2.The Inspector of Police,
Ponnamaravathy,
Pudukkottai District.

3.A.K.P.Saravanan

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the second respondent not to harass the petitioner in the issue of false complaint given by the third respondent herein.

For Petitioner : Ms.Porkodi Karnan
for M/s.Polax Legal Solutions
For R1 & R2 : Mr.A.Robinson
Government Advocate (Crl.side)

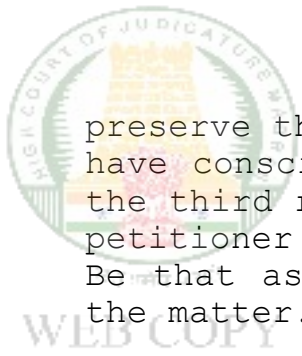
ORDER

The petitioner alleges harassment at the hands of the second respondent.

2.Today, when the matter was taken up for hearing, the learned Government Advocate (Crl.side) submitted that the third respondent herein has alleged that he was punched in the face by the petitioner, resulting in his hospitalization. Even though the statement of the third respondent was recorded by the second respondent herein, till date, no FIR has been registered. Since an allegation of this nature has been received, the second respondent is bound to enquire the petitioner herein.

3.According to the learned Government Advocate (Crl.side), this cannot be construed as an act of harassment at the hands of the respondent police.

4.The petitioner's counsel, on the other hand, would claim that the petitioner's sister was given in marriage to the third respondent and there appears to be some kind of minor strain in their relationship. The third respondent, on the occurrence date, is said to have attacked the petitioner's mother. In order to



preserve the matrimonial relationship, the petitioner and his mother have consciously refrained from giving any police complaint against the third respondent. The petitioner's counsel would claim that the petitioner did not do anything as alleged by the third respondent. Be that as it may, the second respondent is called upon to act in the matter.

5.This is essentially a matrimonial issue. Registering an FIR might even aggravate the situation. That is why, the second respondent has not so far registered any FIR and in my view, rightly so. But as correctly contended by the learned Government Advocate (Crl.side), the second respondent cannot keep quiet.

6.The petitioner undertakes to appear before the respondent on 18.03.2020 at 10.30 a.m. If the second respondent registers any FIR against the petitioner, the petitioner will be duly notified about the same, so that, the petitioner will have breathing time to move this Court for the relief of anticipatory bail.

7.With this directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Rmi

To

1.The Superintendent of Police,
Pudukkottai District.

2.The Inspector of Police,
Ponnamaravathy,
Pudukkottai District.

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

+1 CC to M/s.POLEX LEGAL SOLUTIONS, Advocate (SR-10748[F] dated 10/03/2020)

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10.03.2020