



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.O.P. (MD)No.6378 of 2020

Santhanamari @ Sindu

... Petitioner

versus

1. The Superintendent of Police,
Thenkasi District.

2. The Inspector of Police,
All Women Police Station,
Alankulam,
Tenkasi District.

3. Chandra

... Respondents

Criminal Original Petition filed under Section 482 of Criminal Procedure Code, seeking to direct the 2nd respondent not to harass the petitioner and her family members in the guise of petition enquiry.

For Petitioner : M/s.M.M.Manivelpandian
For R1 and R2 : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction against the 2nd respondent not to harass the petitioner and her family members under the guise of petition enquiry.

2. Learned counsel for the petitioner submits that the 3rd respondent is under misconception that the petitioner is interfering with her matrimonial life and having relationship with her husband Sudalaimuthu and lodged a false complaint before the second respondent/Inspector of Police, All Women Police Station, Alankulam, Tenkasi District and pursuant to that complaint, the petitioner is being harassed by the second respondent. Learned counsel for the petitioner, on instructions of his client/petitioner herein, categorically admits that the petitioner has completed B.A. (Eng. Lit.) and she is a distant relative of the 3rd respondent's husband Sudalaimuthu. Further, there is no relationship between them. According to him, the petitioner is residing at Tirunelveli Town and the 3rd respondent's husband Sudalaimuthu is residing at Kadayam and the petitioner never met Sudalaimuthu and the petitioner is not having any idea to disturb the matrimonial life of the 3rd respondent.



3. Learned counsel for the petitioner expressed that the petitioner and her father is willing to give a statement before the second respondent to this effect. But, in view of the present COVID-19 pandemic, they are not in a position to travel from Tirunelveli to Tenkasi District.

WEB COPY

4. Learned Additional Public Prosecutor submits that in fact, the 3rd respondent lodged a complaint as if the petitioner is having some illegal intimacy with her husband and on account of which, the 3rd respondent's matrimonial life is affected. This complaint of the 3rd respondent is treated as petition enquiry and this petitioner is summoned only for the purpose of verifying the veracity of the complaint.

5. The excuse of the petitioner that in view of the pandemic, they are not able to travel from Tirunelveli to Tenkasi is false, because, both Tirunelveli and Tenkasi fall under the same Zone (Zone III) and therefore, there is no necessity to get e-pass to travel from Tirunelveli to Tenkasi. Further, there is no restriction for the petitioner to appear before the second respondent and to give her statement to clear the enquiry pending on the file of the second respondent in C.S.R.No.161 of 2020.

6. The second respondent had also stated that they are no having any intention to harass the petitioner and the petitioner was called only for the purpose of enquiry and that too on the complaint of the 3rd respondent herein.

7. In view of the specific stand taken by the second respondent and the petitioner, the petitioner along with her father shall appear before the second respondent Police within a period of two weeks from the date of receipt of a copy of this order and give a statement to the effect that they are not interfering with the matrimonial life of the 3rd respondent herein.

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

Sd/-

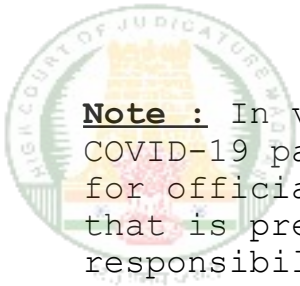
Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ogy/dss



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

1. The Superintendent of Police,
Thenkasi District.
2. The Inspector of Police,
All Women Police Station,
Alankulam,
Tenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.6378 of 2020
19.06.2020

KB(25.06.2020) 3P 4C