



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2020

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

Crl.O.P. (MD) .No.6482 of 2020

1.K.Ramesh
2.Karuppaiah
3.Iyyammal
4.Lingammal

.. Petitioners

Vs.

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

2.The Inspector of Police,
All Women Police Station,
Uthamapalayam,
Theni District.

3.Anusiya

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the 1st respondent to direct the 2nd respondent not to harass or ill-treat the petitioner on the guise of enquiry based on the 3rd respondent's complaint.

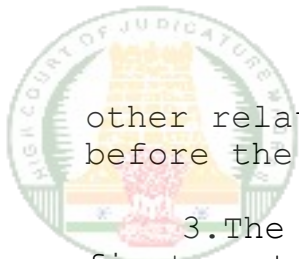
For Petitioner : Mr.S.Muthalraj

For Respondents : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

ORDER

This petition has been filed by the petitioners seeking direction to the 1st respondent to direct the 2nd respondent not to harass the petitioners under the guise of enquiry based on the complaint given by the 3rd respondent.

2.The first petitioner who is working as a Village Administrative Officer at Thanjavur District has approached this Court stating that on the complaint of his wife, the second respondent police is harassing the petitioners. According to the first petitioner, he is in duty at Thanjavur District and his wife is at her home town at Theni. In view of the COVID 19 pandemic situation, he is not in a position to take leave and to visit his native town. Apprehending that the first petitioner is having some



other relationship, the third respondent wife, has filed a complaint before the second respondent police.

3.The learned Additional Public Prosecutor submits that the first petitioner recently got a job as Village Administrative Officer and after obtaining the job, he deserted his wife and developed relationship with some other woman. Hence, the third respondent wife has lodged a complaint before the second respondent. Therefore, the first petitioner was called for enquiry. But, he did not co-operate for enquiry and therefore, the petition enquiry is still pending.

4.At this juncture, the learned counsel for the petitioners undertakes that the first petitioner will appear before the second respondent police and co-operate for enquiry and his specific case is that only due to pandemic situation, he is not in a position to take care of his wife and that apart, he is not having any problem with his wife and there is no dowry harassment or any other issue.

5.In view of the undertaking of the learned counsel for the petitioners, that the first petitioner would cooperate for the enquiry, the second respondent police shall treat the enquiry taking into consideration of the principles laid down in Section 41 (A) Cr.P.C and decide the complaint in accordance with law. Till such time of enquiry, the petitioners shall not be harassed.

6.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (AS)

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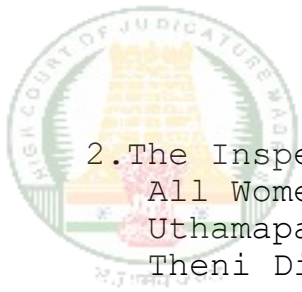
Sub Assistant Registrar(CS)

TM/PM

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, that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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



2.The Inspector of Police,
All Women Police Station,
Uthamapalayam,
Theni District.

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

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VB (01.07.2020) 3P 4C