



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Cr1.O.P. (MD)No.6876 of 2020

Marimuthu
S/o.Santhanaraj

... Petitioner

versus

1.The Inspector of Police
All Women Police Station
Thoothukudi
Thoothukudi District.

2.The District Social Welfare Officer
O/o.District Collectrate
Koramballam, Thoothukudi
Thoothukudi District.

3.Aswini
W/o.Marimuthu

... Respondents

Criminal Original Petition filed under Section 482 of Criminal Procedure Code, seeking to direct the respondents 1 and 2 not to harass the petitioner herein under the guise of enquiry on the basis of the complaint lodged by Aswini/the third respondent herein.

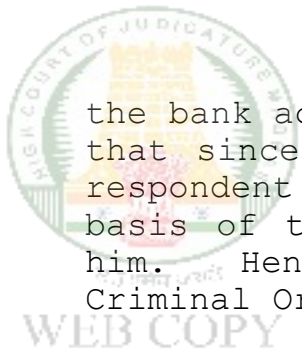
For Petitioner : Mr.A.Thiruvadi Kumar
For R1 and R2 : Mr.R.Anandharaj
Additional Public Prosecutor

ORDER

This petition has been filed seeking a direction to the respondents 1 and 2 not to harass the petitioner herein under the guise of enquiry on the basis of the complaint lodged by Aswini/the third respondent herein.

2. The petitioner is the husband and the third respondent is the wife. Due to some misunderstanding, they are living separately and the petitioner has filed H.M.O.P.No.116 of 2020 seeking for divorce before the Family Court, Thoothukudi and the third respondent has also filed I.A.No.01 of 2020 seeking for interim maintenance. The said I.A.No.01 of 2020 was disposed of by the learned Judge, Family Court, Thoothukudi and the petitioner was directed to pay Rs.8,000/- per month as maintenance and further arrears of maintenance was directed to be credited into the Bank Account of the third respondent or in person.

3. The learned counsel for the petitioner submits that due to COVID-19 pandemic situation, he is not able to make the payment as directed by the Family Court, Thoothukudi and he is also not known



the bank account number of the third respondent. He further submits that since the petitioner has not paid the maintenance, the third respondent has lodged a complaint against the petitioner and on the basis of the said complaint the respondents 1 and 2 are harassing him. Hence, the petitioner came forward to file this present Criminal Original Petition.

4. The learned counsel for the petitioner undertakes to pay the maintenance and also the arrears of maintenance in two equal instalments by way of demand drafts within four weeks. He further submits that the first instalment will be paid on or before 15.07.2020 and the second installment will be paid on or before 29.07.2020. The undertaking of the counsel for the petitioner is taken on record.

5. The learned Additional Public Prosecutor submits that the complaint of the third respondent was treated as petition enquiry.

6. This Criminal Original Petition is disposed of based on the undertaking given by the learned counsel for the petitioner and the respondent police shall not harass the petitioner under the guise of enquiry.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsm/msa

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.

To

- 1.The Inspector of Police
All Women Police Station
Thoothukudi, Thoothukudi District.
- 2.The District Social Welfare Officer
O/o.District Collectrate
Koramballam, Thoothukudi, Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P.(MD)No.6876 of 2020

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