



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P(MD)No.12923 of 2020

Buvaneswari

... Petitioner

Vs.

1.The Superintendent of Police
Kanyakumari District.

2.The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.

3.The Inspector of Police,
All Women Police Station,
Kanyakumari,
Kanyakumari District.

4.T.Pavithra

... Respondents

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 2 and 3 not to harass the petitioner in the name of enquiry without due process of law.

For Petitioner : Mr.S.Ramasamy

For R1 to R3 : Mr.V.Neelakandan
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondents 2 and 3 not to harass the petitioner in the name of enquiry without due process of law.

2.The petitioner alleges harrasment at the hands of the respondents 2 & 3 at the instance of the fourth respondent. According to the petitioner, her son was working in Chennai. The respondents 2 & 3 are frequently visiting the petitioner's house and directed the petitioner to produce her son before them stating that there was a money dispute between the petitioner's son and the fourth respondent. Due to the harassment made by the respondents 2 & 3, she had sent a representation to the 1st respondent on 12.10.2020 and requested him to direct the



respondents 2 & 3 not to harass the petitioner. But, no action has been taken on the side of the respondent police. Hence, the petitioner has come up with this present Criminal Original Petition.

3.The learned counsel for the petitioner would submit that the petitioner is an age old lady and for the money dispute between the petitioner's son and the fourth respondent, she need not be harassed unnecessarily.

4.The learned Additional Public Prosecutor appearing for the respondents 1 to 3, on instructions, would submit that the issue involved in this case is with regard to the love affair between the petitioner's son and the fourth respondent. Since whereabouts of the petitioner's son not known, the petitioner was called for enquiry. No such harassment as contended by the learned counsel for the petitioner.

5.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 3.

6.Whatever might be the circumstances, the respondent police investigate into the matter in accordance with law and the mandates as found set out in ***D.K.Basu Vs.State of West Bengal reported in AIR (1997) SC 610***. If really, the police want to interrogate, it is open for the police to issue summons to the petitioner. Thereupon, the petitioner shall appear before the police and submit herself for interrogation.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

- 1.The Superintendent of Police
Kanyakumari District.
- 2.The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
- 3.The Inspector of Police,
All Women Police Station,
Kanyakumari,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of the Madras High Court,
Madurai.

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PM(CO)
KM (30.11.2020) 3P 5C