



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD)No.12816 of 2020

R.Ramsakthi

... Petitioner

Vs

1.The District Superintendent of Police
Theni District
Theni

2.The Deputy Superintendent of Police
Sub Division
Bodinayakkanoor
Theni District

3.The Inspector of Police
Town Police Station
Bodinayakkanoor
Theni District

... Respondents 1 to 3

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to direct the third respondent herein not to cause illegal harassment against the petitioner and his family members.

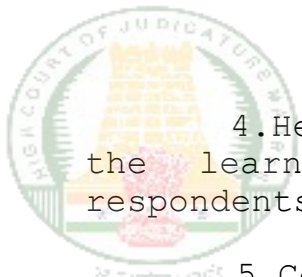
For Petitioner : Mr.S.Saravanan
For Respondents : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

This petition has been filed to direct the third respondent herein not to cause illegal harassment against the petitioner and his family members.

2.The learned counsel for the petitioner would submit that the petitioner and one Priya Dharshini loved with each other and got married on 03.11.2020. Due to that, the said Priya Dharshini's parents lodged a complaint against the petitioner. On such false complaint, the third respondent police harassed the petitioner and his family under the guise of enquiry. Hence, the petitioner made a representation, dated 05.11.2020 to the respondents. But, so far no action has been taken by the respondent police. Hence, the present petition.

3.The learned Additional Public Prosecutor, appearing for the respondents, on instructions, would submit that based on the complaint, FIR has been registered in Crime No.2731 of 2020 and the petitioner was only called for an enquiry and he has not been harassed by the third respondent police.



4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

5.Considering the submissions of the learned counsel for the petitioner and the respondents, the third respondent police is directed to follow the principles laid down by the Hon'ble Apex Court in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610*** while enquiring the petitioner and his family members. 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 himself for interrogation, for which, the learned Additional Public Prosecutor has not raised any objection.

6.Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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 District Superintendent of Police
Theni District
Theni
- 2.The Deputy Superintendent of Police
Sub Division
Bodinayakkanoor
Theni District
- 3.The Inspector of Police
Town Police Station
Bodinayakkanoor
Theni District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P (MD) No.12816 of 2020
11.11.2020

KG (CO)

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