



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2020

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

Crl.O.P.(MD).No.13410 of 2020

M.Muneeshwari

...Petitioner

-Vs-

1.State Rep. By
The Superintendent of Police
Tenkasi District
Tenkasi.

2.The Inspector of Police,
Puliyangudi Police Station,
Tenkasi District.

...Respondents/Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to pass an order directing the 2nd Respondent not to harass the Petitioner and her family members in the guise of enquiry, based on the Petitioner's representation dated 10.07.2020.

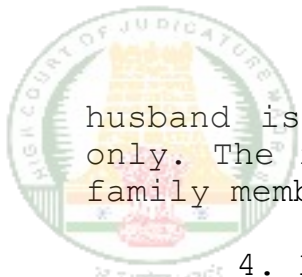
For Petitioner	: Mr.S.Vikram
For Respondents	: Mr.V.Neelakandan
	Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the 2nd Respondent not to harass the Petitioner and her family members in the guise of enquiry, based on the Petitioner's representation dated 10.07.2020.

2.The learned counsel for the petitioner would submit that the second respondent police registered a false case against the petitioner's husband as if he had involved illegal sand theft and thereafter, charge sheet was filed before the concerned Court and it is pending. In the meanwhile, the petitioner's husband got anticipatory bail and he had also sold his tractor used for his livelihood due to the trouble given by the respondent Police. The grievance of the petitioner is that the second respondent police is threatening the petitioner's husband and insisting him to come frequently to police station. Therefore, the petitioner made a representation dated 10.07.2020 to the respondents 1 and 2 not to harass her and her family members. But till now, there was no response upon her representation. Hence, the present petition.

3.The learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that the petitioner's



husband is a history sheeted rowdy and he was called for enquiry only. The respondent police is not harassing the petitioner and her family members.

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

5. Whatever might be the circumstances, the respondent police are 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 her family members.

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

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

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 Superintendent of Police
Tenkasi District
Tenkasi.

2. The Inspector of Police,
Puliyangudi Police Station,
Tenkasi District.

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

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