



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P(MD)No.13526 of 2020

WEB COPY

E.Ramanathan

... Petitioner

vs.

1)The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2)The Inspector of Police,
Puliyampatti Police Station,
Thoothukudi District.

3)Mrs.Kanagaletchumi

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, directing the 1st and 2nd respondents not to harass the petitioner under the guise of enquiry frequently.

For Petitioner : Mr.G.Thalaimutharasu

For R1 & R2 : Mr.V.Neelakandan
Additional Public Prosecutor

ORDER

The present petition has been filed for directing the 1st and 2nd respondents not to harass the petitioner under the guise of enquiry frequently.

2.The learned counsel for the petitioner would state that the petitioner was engaged with one Mrs.Sudha D/o. Mr.Pandaram. The marriage was fixed on 26.11.2020. On 13.11.2020, the 3rd respondent/Mrs.Kanagaletchumi, W/o Saravanan came to the petitioner's house with her 6 year old female child accusing the petitioner that he is the father of the said child and demanded Rs.5 lakhs from the petitioner for getting marriage with Ms.Sudha. According to the petitioner, the 3rd respondent threatened the petitioner with dire consequences and therefore, the petitioner's mother had given a complaint to the respondent/Police on 16.11.2010 to take criminal action against the 3rd respondent. Thereafter, just 4 days before the marriage, the said Kanagaletchumi came to the petitioner's house and in front of Puliyampatti Police Station, she threatened the petitioner with dire consequences if he does not pay a sum of Rs.5 Lakhs.



3.He would further state that the 3rd respondent is married to one Saravanan and the petitioner had produced the birth certificate of the child which showed that the parents of the child is the said Saravanan and Mrs.Kanagaletchumi/3rd respondent and only due to the ill intention to grab money, the 3rd respondent made false and frivolous complaint to the 2nd respondent. The learned counsel for the petitioner would further state that the 2nd respondent/Police under the guise of enquiry had been frequently calling the petitioner and harassing the petitioner instead of taking action against the complainant. Hence, this petition.

4.The learned Additional Public Prosecutor would state that the 3rd respondent filed a complaint against the petitioner and in this regard, there is an enquiry pending against the petitioner.

5.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor. In view of the order going to be passed, notice to the 3rd respondent is not necessary.

6.Considering the facts and circumstances of the case, this Criminal Original Petition is ordered directing the respondents 1 and 2 to follow the guidelines 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.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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.

To

1)The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2)The Inspector of Police,
Puliyampatti Police Station,
Thoothukudi District.

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



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

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ORDER MADE IN
Crl.O.P (MD) No.13526 of 2020
DATED : 27.11.2020

SVM(CO)
KM (14.12.2020) 3P 4C