



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2020

CORAM:

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P.(MD)No.14437 of 2020

1.Hariharan
2.Pavun
3.Gayathri
4.Bharathidasan

..Petitioners

Vs.

1.The Superintendent of Police,
Theni District,
Theni.

2.The Inspector of Police,
All Women Police Station,
Theni.

3.The Inspector of Police,
All Women Police Station,
Nilakottai,
Dindigul District.

4.Nikila

..Respondents

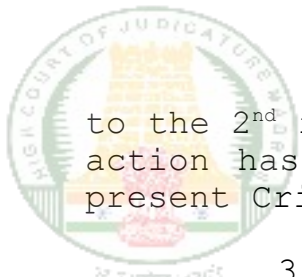
PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents 2 & 3 herein, not to harass the petitioners and their family members based on the enquiry.

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

ORDER

This petition has been filed to direct the respondents 2 & 3 herein, not to harass the petitioners and their family members based on the enquiry.

2.The learned counsel for the petitioners would state that the defacto complainant/4th respondent is the wife of the 1st petitioner. The petitioners 2 to 4 are mother, sister and brother-in-law of the 1st petitioner. The marriage between the 1st petitioner and the 4th respondent was solemnized on 21.08.2020 and due to difference of opinion, they separated. Now the 4th respondent has lodged a complaint against the petitioners alleging demand of dowry and under the guise of enquiry, the respondent/police are harassing the petitioners and therefore the petitioners sent a representation



to the 2nd respondent on 25.11.2020, for not harassing them. Since no action has been taken, the petitioners have come forward with the present Criminal Original Petition.

3.The learned Additional Public Prosecutor(Crl.side) appearing for the respondents 1 to 3, on instructions, would state that based on the complaint given by the 4th respondent, the enquiry is pending against the petitioners.

4.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor (Criminal Side) for the respondents 1 to 3. Since no adverse order is going to be passed against the 4th respondent, notice to her is dispensed with.

5.Considering the facts and circumstances of the case, 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 petitioners.

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

Sd/-

Assistant Registrar (RTI Act)

// True Copy //

/ /2021

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.

To

1.The Superintendent of Police,
Theni District,
Theni.

2.The Inspector of Police,
All Women Police Station,
Theni.

3.The Inspector of Police,
All Women Police Station,
Nilakottai,
Dindigul District.



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

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10.12.2020

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