

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.10792 of 2021

1.S.V.Sasikumar
2.S.V.Senthilkumar
3.S.V.Sureshkumar
4.Smt.Padmavathi

... Petitioners

Versus

The State of Tamilnadu, rep. by,
The Inspector of Police,
All Women Police Station, Villupuram.

.... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue direction, directing the respondent/police, not to harass the petitioners under the guise of enquiry.

For Petitioners : Mr.R.Selvakumar

For Respondent : Mr.A.Damodaran,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the respondent Police not to harass the petitioners under the guise of enquiry.

2.The contention of the petitioners is that the 1st petitioner was employing and residing in Chennai along with his friend Murugappan. The other petitioners are agriculturist in Sakkadi Village, Krishnagiri District. The said Murugappan had taken loan from the 1st petitioner, but he failed to return the same. One Silambarasi is the sister of Murugappan. The 1st petitioner was got married to one Tharani on 26.04.2021, which is an arranged marriage. The said Silambarasi avoided the same and lodged a false complaint that the 1st petitioner had love affair with her, promised to marry and demanded dowry and thereafter, refused to marry her. In fact, the 1st petitioner filed an Anticipatory Bail in Crl.O.P.No.9045 of 2021 before

this Court, in which this Court, by order, dated 13.05.2021 directed the respondent Police to complete the enquiry within a period of four weeks. Thereafter, the petitioners were called for enquiry in C.S.R.No.278 of 2021 and later, C.S.R.No.278 of 2021 was closed on 13.05.202. Now on the same complaint, the petitioners were harassed by the respondent Police under the guise of enquiry.

3.The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the 1st petitioner and Silambarasi were in love with each other. The 1st petitioner was promised to marry and had physical relationship and later, refused to marry her. Thereafter, the 1st petitioner married one Tharani and hence, the said Silambarasi had lodged a complaint against the petitioners. Refusing to appear before respondent Police for enquiry, the petitioners had filed the above petition.

4.Considering the submissions and on perusal of the materials, it is seen that one Silambarasi has given a complaint against the 1st petitioner specifically. Hence, the 1st petitioner is directed to appear before the respondent Police on 29.06.2021 and thereafter if required for enquiry. The respondent Police is directed to conduct the enquiry in accordance with law, complete the same.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
All Women Police Station,
Villupuram.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Selvakumar, Advocate, S.R.No.28974

CRL.O.P.No.10792 of 2021

VBM(CO)
CB(25/06/2021)