



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.12207 of 2021

Mugundhan
S/o, Vijayakumar

... Petitioner

Versus

1.The Commissioner of Police,
O/o the Commissioner of Police,
Vepery,
Chennai-07.

2.The Deputy Commissioner of Police,
O/o The Deputy Commissioner of Police,
Ambattur Range,
Avadi, Chennai.

3.The Inspector of Police,
W-30, All Women Police Station,
Poonamallee, Chennai-56.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to pass an order of direction directing the 1st and 2nd respondents herein to direct the 3rd respondent to not to harass the petitioner on the guise of enquiry.

For Petitioner : Mr.S.Madhusudanan

For Respondents: Mr.E.Raj Thilak
Government Advocate, (Criminal Side)

ORDER

This Criminal Original Petition has been filed by the petitioner to to pass an order of direction directing the 1st and 2nd respondents herein to direct the 3rd respondent to not to harass the petitioner under the guise of enquiry.

2. The learned counsel petitioner submitted that the third respondent police is constantly calling the petitioner and



harass the petitioner under the guise of enquiry on the complaint given by the defacto complainant. The petitioner had filed the divorce petition in O.P.No.392 of 2020 which is pending before the Family Court, Poonamallee. The petitioner made an undertaking that he would take back his wife Deepika. This fact has been informed to the second and third respondent by notice sent on 05.07.2021. Despite the same, he is being harassed. Even though the petitioner having accepted to take back and live in reunion, peacefully with Deepika, he has not done so, since some issues arose between them which to be resolved.

3. The learned Public Prosecutor submitted that the petitioner married the said defacto complainant on 22.01.2018 and thereafter he had deserted her by making false allegations. He had filed the divorce petition in O.P.No.392 of 2020 before the Family Court, Poonamallee. The petitioner made an undertaking to take back his wife. Contrary to the undertaking, he failed to take her back. The victim girl Deepika, had no other option, she had laid the complaint. On the complaint, the petitioner had appeared before the respondent police on 21.06.2021 gave an undertaking that he will take back Deepika. But, he failed to do so. On the contrary he has filed the above petition alleging that he is harassed. It is the petitioner who is harassing his wife Deepika.

4. Now, the petitioner undertakes that he shall appear before the respondent police on 22.07.2021 and take back his wife. Failing which, the respondent police is directed to take necessary steps in this regard, including coercive action.

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

Sd/-
Assistant Registrar(CS III)

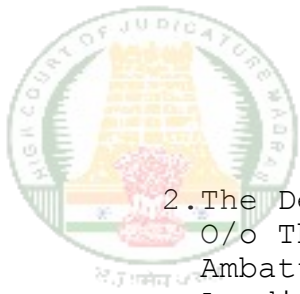
//True Copy//

Sub Assistant Registrar

mfa

To

1.The Commissioner of Police,
O/o the Commissioner of Police,
Vepery,
Chennai-07.



2.The Deputy Commissioner of Police,
O/o The Deputy Commissioner of Police,
Ambattur Range,
Avadi, Chennai.

WEB COPY

3.The Inspector of Police,
W-30, All Women Police Station,
Poonamallee, Chennai-56.

4.The Public Prosecutor,
High Court,
Madras.

CRL.O.P.No.12207 of 2021

SKY (CO)
PR (09/08/2021)