



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.17063 of 2021

S.Akbar

... Petitioner

Vs.

1. The Superintendent of Police,
Ranipet District,
At Ranipet.

2. The Inspector of Police,
All Women Police Station,
Ranipet, Ranipet District.

... Respondents

PRAYER:

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondents police not to harass the petitioner.

For Petitioner : Mr.B.Sundarapandiyan

For Respondents : Mr.R.Vinoth Raja
Government Advocate [Cr1. Side]

O R D E R

This Criminal Original Petition is filed to direct the respondents police not to harass the petitioner.

2.The petitioner's complaint is for the second respondent police, who at the instigation of the petitioner's estranged father-in-law, the retired Inspector of Police had lodged a false complaint, taking advantage of the same, harassing the petitioner. The copy of the complaint produced. From the copy of the complaint dated 25.08.2021, it is seen that on 25.08.2021, at about 05.45 p.m., when the complainant and her son viz., Abeerh Ajmal, a XI Standard Student were alone, the petitioner said to have abused and assaulted the complainant viz., Parveen. On coming to know about the same, Parveen's father viz., Sardar questioned the same and he was also assaulted by the petitioner. Hence they lodged the complaint.



3. According to the petitioner, the complainant's father taking advantage of the position as Police Personnel, earlier lodged a complaint in the year 2012 and a case came to be registered in Crime No.837 of 2012 for the offence under Sections 498(A), 294(b), 506(ii) IPC and Section 4 of Dowry Prohibition Act, as against the petitioner and his family members. The case was charge sheeted and taken on file in C.C.No.247 of 2012 on the file of the Judicial Magistrate, Katpadi and the said case was ended in acquittal on 08.11.2012. The contention of the petitioner is that the petitioner has been falsely implicated and he has been harassed by the respondent police.

4. The learned Government Advocate [Crl. Side] produced the copy of the complaint. On perusal of the typed set of papers, it is seen that the case in C.C.No.247 of 2012, ended in acquittal. Thereafter the relatives and the local Jamath advised the petitioner to live with his wife for the welfare of the minor son and they started living together, but all of sudden in the month of November 2020 again she created trouble to the petitioner and voluntarily walked out from the matrimonial home.

5. It is a matrimonial dispute and the future of the petitioner's son, who is studying XI Standard is to be considered. The petitioner had given a representation to the Masjid E-Noor, No.5, Katpadi to resolve the issue, which is also pending. In view of the same, this Court directs the respondent police to forward the case to the District Legal Services Authority, Vellore to conduct enquiry and to resolve the issue. This Court also directs the respondent police not to precipitate the same.

6. With the above directions, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Ranipet District,
At Ranipet.



2. The Inspector of Police,
All Women Police Station,
Ranipet, Ranipet District.

3. The Public Prosecutor,
High Court, Madras.

4. The District Legal Services Authority,
Vellore.

+lcc to Mr.B.Sundarapandian, Advocate, S.R.No.48908

Crl.O.P.No.17063 of 2021

GPL(CO)
CS/20/10/2021