



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :03.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.1336 of 2021

Suresh David Durai

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Nagercoil, Kanniyakumari District.

3.The Inspector of Police,
All Women Police Station,
Nagercoil, Kanniyakumari District.

4.Skylough Saila ... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the third respondent not to harass the petitioner under the guise of an enquiry.

For Petitioner : Mr.T.Vadivelan

For Respondents 1 to 3 : Mr.A.Robinson
Government Advocate
(Criminal side)

ORDER

The present petition is filed by the petitioner seeking for a direction to the third respondent not to harass the petitioner under the guise of an enquiry.

2.Mr.A.Robinson, learned Government Advocate (Criminal side), who accepts notice on behalf of the respondents 1 to 3, on instructions, would submit that the fourth respondent lodged a complaint with the third respondent contending that the petitioner promised to marry her and received a sum of Rs.11,00,000/- from her. His further contention is that though the petitioner returned a sum of Rs.3,00,000/- to her, he did not repay the balance amount.



3.In the facts and circumstances, the third respondent is directed to follow the guidelines issued in the decision in ***D.K.Basu Vs. State of West Bengal reported in AIR (1997) SC 610.***

4.With the above observation, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

rmk

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,
Kanniyakumari District,
Kanniyakumari.
- 2.The Deputy Superintendent of Police,
Nagercoil, Kanniyakumari District.
- 3.The Inspector of Police,
All Women Police Station,
Nagercoil, Kanniyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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