



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **21.06.2021**

CORAM

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

CRL.O.P(MD).No.2266 of 2021

Ram Kumar

... Petitioner

Vs.

1.The Commissioner of Police,
O/o.The Commissioner of Police,
Madurai.

2.The Inspector of Police,
Avaniyapuram Police Station,
Madurai.

3.Muniyasamy

4.Shanthi

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to harass the petitioner in the guise of enquiry.

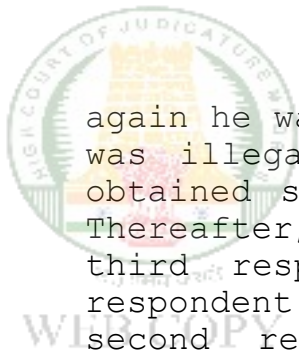
For Petitioner : Mr.S.M.A.Jinnah

For R1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the second respondent not to harass the petitioner in the guise of enquiry.

2. The case of the petitioner is that on 10.04.2019, the petitioner was forced to marry the daughter of the fourth respondent. After ten days of the marriage, the petitioner went for job to Namakkal and he taken his wife along with him. There was frequent quarrel between the petitioner and the daughter of the fourth respondent. Therefore, she was taken to Abiramam, Kamuthi Taluk, Ramanathapuram District and without any reason, again she often quarrel with the petitioner. Hence, the petitioner informed this fact to the parents of both families. Thereafter, on 01.09.2020, in order to settle the dispute, the fourth respondent called the petitioner to her house. At that time, they pressurized the petitioner to live with her daughter and the petitioner was illegally detained from 18.09.2020 for about 67 days. On 09.12.2020,



again he was sent to the de-addiction center on 09.12.2020, where he was illegally detained for about 45 days and they have forcibly obtained signature in white and green blank papers, stamp papers. Thereafter, the petitioner escaped from the illegal custody of the third respondent and now he is staying in Madurai. So, the respondent Nos.3 and 4 have lodged a false complaint before the second respondent. On that basis, the fourth respondent is continuously harassing the petitioner. Hence, the present petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

4. The learned Additional Public Prosecutor would submit that because of the dispute between the husband and wife, the wife of the petitioner has lodged a complaint. In respect of which, Crime No.122 of 2021 has been registered by the second respondent Police as man missing. Only on that basis, the petitioner was called for enquiry. He would further submit that H.C.P.No.303 of 2021 has also been filed by the wife of the petitioner. In such circumstances, question of harassment will not arise at all. Since the petitioner is available, the man missing F.I.R must be closed.

5. In view of the above submission, nothing survives for further adjudication in this matter. However, the petitioner as well as the fourth respondent are at liberty to work out their remedy before the concerned Court.

6. With these observations, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

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 Commissioner of Police,
O/o.The Commissioner of Police,
Madurai.
- 2.The Inspector of Police,
Avaniyapuram Police Station,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL.O.P (MD) .No.2266 of 2021
21.06.2021

KM(CO)
TR(30.06.2021) 3P 4C