



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE R. HEMALATHA

Crl.O.P.(MD)No.2771 of 2021

S.Rathidevi

... Petitioner

Vs.

1.The Superintendent of Police,
Superintendent Office,
Theni.

2.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of the Criminal Procedure to direct the respondents not to harass the petitioner and her family members under the guise of an enquiry.

For Petitioner : Mr.P.Sivachandran

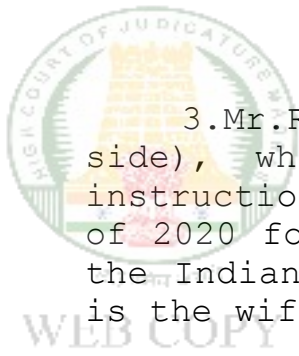
For Respondents : Mr.R.Erottuchamy

Government Advocate (Criminal side)

ORDER

The present petition is filed seeking for a direction to the respondents 1 and 2 not to harass the petitioner under the guise of an enquiry.

2.Mr.P.Sivachandran, learned counsel appearing for the petitioner contended that the Inspector of Police, Uththamapalayam Police Station registered the First Information Report in Crime No.1292 of 2020 under Section 174 of the Code of Criminal Procedure for the death of one Nagaraj and subsequently, altered the same to Sections 302 and 201 of the Indian Penal Code. His further contention is that the petitioner's husband is arrayed as second accused and that eventhough the petitioner does not know the whereabouts of her husband, the second respondent is frequently harassing the petitioner. He also contended that the petitioner is ready to co-operate with the police and would inform the whereabouts of her husband as when she comes to know of the same.



3.Mr.R.Erottuchamy, learned Government Advocate (Criminal side), who accepts notice on behalf of the respondents, on instructions, would submit that the investigation in Crime No.1292 of 2020 for the offences punishable under Sections 302 and 201 of the Indian Penal Code is underway and that the present petitioner is the wife of the second accused, who is absconding.

4.Since the petitioner undertakes to inform the police the whereabouts of her husband as soon as she comes to know of the same, the present Criminal Original Petition is disposed of with a direction to the second respondent not to harass the petitioner in this regard.

Sd/-

Assistant Registrar ()

// 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,
Superintendent Office,
Theni.
- 2.The Inspector of Police,
Uthamapalayam Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KM (12.03.2021) 2P 4C

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