



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2021

CORAM :

THE HONOURABLE Mrs.JUSTICE R.HEMALATHA

Crl.O.P. (MD)No.2937 of 2021

Swathy

...Petitioner

/Vs./

1.The Commissioner of Police,
Madurai District,
Madurai.

2.The Inspector of Police,
Vilakkuthoon Police Station,
Madurai District.

3.Raja

...Respondents

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

For Petitioners : Mr.S.M.Mohan Gandhi

For Respondents 1&2 : Mr.A.Robinson

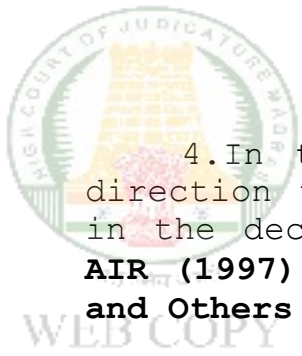
Government Advocate (Criminal side)

ORDER

This petition has been filed seeking for a direction to the second respondent not to harass the petitioner.

2.The main grievance of the petitioner is that the second respondent is unnecessarily interfering with the civil dispute between the petitioner and the third respondent.

3.Mr.A.Robinson, learned Government Advocate (Criminal side), who accepts notice on behalf of the respondents 1 and 2, on instructions, would contend that the third respondent lodged a complaint with the second respondent against the present petitioner and the same was registered in CSR No.45 of 2021 and posted for enquiry. The police had issued summons under Sections 91 and 160 of the Code of the Criminal Procedure to the present petitioner in CSR No.45 of 2021 and in such circumstances, the second respondent cannot be said to have harassed the present petitioner.



4.In the result, the present petition is disposed of with a direction to the second respondent to follow the guidelines issued in the decisions in **D.K.Basu Vs. State of West Bengal** reported in **AIR (1997) SC 610** and **Lalita kumari vs. Government of Uttarpradesh and Others** reported in **AIR 2014 SC 187**.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SM

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,
Madurai District, Madurai.
- 2.The Inspector of Police,
Vilakkuthoon Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.S.M.MOHAN GANDHI, Advocate (SR-7141[F] dated 25/02/2021)

**Order made in
Crl.O.P. (MD)No.2937 of 2021
25.02.2021**

PM(CO)

SRS (10/03/2021) 2P : 5C