



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **16.03.2021**

CORAM :

WEB COPY

THE HONOURABLE **Mrs.JUSTICE R.HEMALATHA**

Crl.O.P.(MD)No.3990 of 2021

Ayisha

...Petitioner

/Vs./

1.The Assistant Commissioner of Police, (L&O)
Tirunelveli Town, Tirunelveli City.

2.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.

3.The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.

4.Nazeer Ahammed

...Respondents

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

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents 1 to 3 : Mr.A.Robinson

Government Advocate (Criminal side)

ORDER

This petition has been filed seeking for a direction to the third respondent not to harass the petitioner and her family members, under the guise of an enquiry.

2.Mr.A.Robinson, learned Government Advocate (Criminal side), who accepts notice on behalf of the official respondents, on instructions, would contend that two complaints were lodged by the fourth respondent and his wife, one before the Inspector of Police, Suthamalli Police Station, Tirunelveli and another before the Inspector of Police, Pettai Police Station, Tirunelveli.

3.The further contention of the learned Government Advocate (Criminal Side) is that the fourth respondent's complaint which was

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registered in CSR No.175 of 2021, was closed, after enquiring the petitioner and the fourth respondent. The complaint lodged by the wife of the fourth respondent before the Inspector of Police, Pettai Police Station, Tirunelveli, is now registered in CSR No.146 of 2021 and posted for enquiry.

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4. Recording the submission of the learned Government Advocate (Criminal Side), this Criminal Original 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 (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Assistant Commissioner of Police,
Tirunelveli Town, Tirunelveli City.
- 2.The Inspector of Police,
Pettai Police Station,
Tirunelveli City.
- 3.The Inspector of Police,
Suthamalli Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-11966[F] dated 17/03/2021)

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16.03.2021

sj(CO)

KK(30.03.2021) 2P 6C

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