



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.6302 of 2021

WEB COPY

1.Hemalatha Devi
2.B.R.Subashini
3.J.Rajeshwari

... Petitioners

Vs.

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

2.The Deputy Superintendent of Police,
Virudhunagar District,
Virudhunagar.

3.The Inspector of Police,
District Crime Branch,
Virudhunagar.

4.A.Madhavan

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents not to harass the petitioners under the guise of enquiring into the complaint lodged by A.Madhavan.

For Petitioners : Mr.N.Dilip Kumar
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side)
for R1 to R3.
Mr.N.S.Karthikeyan for R4.

O R D E R

Heard the learned counsel for the petitioners, the learned Government Advocate (Crl. Side) for the respondents 1 to 3 and the learned counsel for the fourth respondent.

2.The petitioners allege that the respondent police are interfering in what is purely a civil issue. According to the petitioners, they are being harassed by the respondent police. This criminal original petition has been filed for forbearing them from doing so.



3.After hearing the learned counsel either side, I am of the view that the criminal original petition can be disposed of with the following directions:-

"(a) The second petitioner/B.R.Subashini will appear before the second respondent. The other two petitioners need not appear. The second petitioner can be accompanied by her counsel also for enquiry on 29.11.2021 and 30.11.2021.

(b) The second respondent shall conclude the enquiry thereafter and the petitioners shall not be summoned again.

(c) If at the conclusion of the enquiry, the second respondent is of the view that the complaint of the fourth respondent discloses commission of cognizable offences, it is open to the respondent police to register an FIR. But then, due notice will have given to all the three petitioners herein, so that they will have sufficient breathing time to move the concerned Court for the relief of anticipatory bail. If the second respondent is of the view that the matter is purely civil in nature, the complaint will of course be closed."

4.This criminal original petition is disposed of with these directions.

Sd/-

Assistant Registrar (CS I)

// 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 District Superintendent of Police,
Virudhunagar District, Virudhunagar.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Deputy Superintendent of Police,
Virudhunagar District,
Virudhunagar.

3.The Inspector of Police,
District Crime Branch,
Virudhunagar.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-35019[F] dated 18/11/2021)

+1 CC to M/s.N.S.KARTHIKEYAN, Advocate (SR-8257 dated 18/11/2021)

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KMV (CO)
SB(02.12.2021) 3P 7C