



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.10880 of 2021

Stalin Mary

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.

3.Manimaran

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent No.2 to not to harass the petitioner in the name of enquiry on the basis of the false complaint preferred by the respondent No.3 by considering the petitioner's representation dated 29.07.2021 in accordance with law.

For Petitioner	: Mr.S.Abdul Rahuman
For R1 & R2	: Mr.R.M.Anbunithi
	Additional Public Prosecutor

O R D E R

This petition is filed seeking a direction to the respondent No.2 not to harass the petitioner under the guise of enquiry on the basis of the complaint preferred by the respondent No.3 by considering the petitioner's representation dated 29.07.2021 in accordance with law.

2. The case of the petitioner is that the petitioner faced sexual harassment at the hands of the third respondent for the past 8 years. Now the petitioner got married and she is living with her husband and 2 months old baby. Even now, the third respondent threatened her through phone and abused with filthy language. The petitioner has already sent a representation on 10.07.2021 to the second respondent. According to the petitioner, the second respondent conducted enquiry in a biased manner and attempted to



compromise the petitioner with the third respondent. Thereafter, the petitioner has sent a representation to the Director General of Police, the Inspector General of Police, South Zone, the first respondent and the Deputy Superintendent of Police, Devakottai Range to take action against the second respondent not to harass the petitioner and her family members under the guise of enquiry. Since the representation of the petitioner has not been considered, she has filed the present petition.

3. The learned Additional Public Prosecutor would submit that based upon the complaint given by the third respondent, a case in Crime No.390 of 2021 has been registered against petitioner and 2 other persons for the offences under Sections 452, 294(b), 506(i) IPC and Section 4 of the Tamilnadu Prohibition of Harassment of Women Act, 2002 on 28.07.2021. He would further submit that the petitioner has not approached the court either for anticipatory bail or for any other remedy. Since the case has been registered against the petitioner, there is no question of harassment.

4. The learned counsel for the petitioner would submit that counter complaint has not been taken into account and the same has not been registered.

5. Since the case has been registered against the petitioner, she has to face investigation. The petitioner is at liberty to redress her grievance through appropriate proceedings before the appropriate forum.

6. In the result, this petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
Office of the Superintendent of Police,
Sivagangai District.

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



2.The Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.

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

CrI.O.P. (MD) No.10880 of 2021
09.08.2021

GC (16/08/2021) 3P 4C