



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.12411 of 2021

Indira

... Petitioner

Vs

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

2.The Inspector of Police,
Nalatinpudur Police Station,
Thoothukudi District.

3.Kaliammal

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent not to harass the petitioner and her family members except according to due process of law.

For Petitioner : Mr.M.Prabu
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the second respondent not to harass the petitioner and her family members except according to due process of law.

2. The learned counsel for the petitioner would submit that the petitioner and the respondent are the sisters. The petitioner is residing in the house belongs to her mother namely Kendiarammal. Subsequently, the petitioner's mother executed a deed in favour of the third respondent and she is now living. Thereafter, the third respondent permitted the petitioner to reside in the house for some time. Later, trouble arouse between the petitioner and the third respondent, therefore, the third respondent told the petitioner to vacate the house. At that time, a request was made by the petitioner seeking some time to vacate the house. Hence, the third respondent



3. When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that based on the complaint given by the third respondent herein, enquiry was undertaken in C.S.R.No.425 of 2021 and during the course of the enquiry, this petitioner gave statement to the effect that within a week, she will vacate the house. Based on the undertaking, the complaint given by the third respondent was closed on 26.08.2021.

4. However, the learned counsel for the petitioner would submit that the above said undertaking has been forcibly obtained from the petitioner.

5. Such contention cannot be raised in this petition. Since the petitioner herself given the above said undertaking, question of harassment at the hands of the second respondent does not arise. Hence, this Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

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,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Nalatinpudur Police Station,
Thoothukudi District.

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

CRL OP(MD) No.12411 of 2021

Date : 15.09.2021

MGJ(27.09.2021) 2P 4C

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