



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P. (MD) No.13615 of 2021

WEB COPY

Sundaramoorthy

... Petitioner

Vs.

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

2.The Inspector of Police,
Sivakasi East Police Station,
Sivakasi.
Virudhunagar District.

3.Motaiyasami

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent not to harass the petitioner and his family members.

For Petitioner : Mr.K.P.Sankarakumarakuruparan

For R1 & R2 : Mr.R.M.Anbunithi

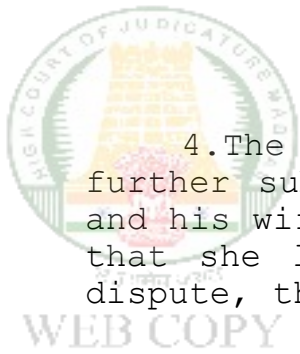
Additional Public Prosecutor(crl.Side)

ORDER

This petition is filed seeking not to harass the petitioner under the guise of the enquiry, on the basis of the complaint given by the 3rd respondent herein.

2.When the matter was taken up for hearing on 16.09.2021, the learned Additional Public Prosecutor has submitted that the wife of the 3rd respondent was found missing, based upon which, the case has been registered and suspecting the involvement of this petitioner only, he has been called for enquiry. Except that, there was no harassment. Since suspicion has been raised against this petitioner, he was directed to appear before the Enquiry Officer and cooperate with him to complete the enquiry. On that ground, the matter was directed to be listed today.

3.Even today, the learned Additional Public Prosecutor appearing for the respondents 1 and 2 would submit that the investigation or the enquiry is still not over and the missing girl was not secured so far.



4.The learned counsel appearing for the petitioner would further submit that there was a dispute between the 3rd respondent and his wife. Since the 3rd respondent assaulted his wife, it appears that she left the matrimonial home. In the aforesaid matrimonial dispute, the petitioner herein is noway involved.

5.Considering the fact that the matter is kept pending for a long period, the petitioner may express his grievance through appropriate proceedings, if any trouble arises during the course of investigation. The 2nd respondent may also conclude the investigation and file the final report by securing the missing woman, within a period of 5 months from the date of receipt of a copy of this order.

6.Further, the explanation offered by the petitioner seems to be reasonable and genuine. So, the 2nd respondent may not harass the petitioner without any proper basis. If any clue is available regarding the involvement of the petitioner, the 2nd respondent may take up the investigation on that line. For that purpose also, the petitioner may express his fullest cooperation.

7.With the aforesaid liberty and directions, this petition stands disposed of.

Sd/-

Assistant Registrar (AS)

// 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 Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 2.The Inspector of Police,
Sivakasi East Police Station,
Sivakasi.
Virudhunagar District.



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

+1 CC to M/s.K.P.SANKARAKUMARUPARAN, Advocate (SR-33254[F] dated
29/10/2021)

CrI.O.P. (MD)No.13615 of 2021
27.10.2021

_RD/PM (18.11.2021) 3P 5C