



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGOVAN**

Crl.O.P (MD) No.13670 of 2021

Balasubramani

Petitioner

Vs

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

2.The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.

3.Sathya

Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent herein not to harass the petitioner and his family members under the guise of enquiry, based on the complaint given by the third respondent.

For Petitioner : Mr.A.Prasanna Rajadurai
For R1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This petition has been filed to direct the second respondent herein not to harass the petitioner and his family members under the guise of enquiry, based on the complaint given by the third respondent.

2. When the matter was taken up for hearing on 16.09.2021, the learned counsel for the petitioner submitted that the third respondent received a sum of Rs.7,00,000/- , for the purpose of arranging job and later she failed. When the amount was demanded by the petitioner, the third respondent has given a false complaint as if the petitioner is pressurizing her to marry him. He further submitted that earlier complaint given to the Superintendent of Police was enquired by the Superintendent of Police. Hence, direction was issued to the second respondent, to call for the records from the Superintendent of Police, with regard to the enquiry made by the Superintendent of police. The matter was ordered to be listed today for informing the outcome of the enquiry.

3.Today (28.10.2021), the learned Additional Public Prosecutor circulate the copy of the enquiry file and further he would submit that the petitioner did not co-operate with the enquiry officer.



4. When this is pointed out to the learned counsel for the petitioner, he would submit that he is ready to appear before the enquiry officer, but harassment should not be made.

5. Whatever it may be, harassment by the enquiry officer cannot be a matter for direction or discussion at this stage. Since the complaint given by the third respondent against the petitioner, whatever the details available with him, he shall share with the enquiry officer. Since complaint and counter complaint has been given, it is the duty of the enquiry officer to enquire both the matters and conclude the same. Hence, the petitioner is directed to appear before the enquiry officer and co-operate with the enquiry officer to complete the enquiry as mentioned earlier. The respondent police shall summon the petitioner for appearance.

6. With the above said liberty, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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,
Madurai, Madurai District.

2. The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.

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

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-33236[F] dated 29/10/2021)

Crl.O.P(MD)No.13670 of 2021

28.10.2021

RD/PM (18.11.2021) 2P 5C