



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2021

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WEB COPY

**THE HONOURABLE MR. JUSTICE G.ILANGO VAN**

Crl.O.P. (MD) .No.14088 of 2021

S.Satheeskumar

... Petitioner

Vs.

1.The Commissioner of Police,  
Madurai, Madurai City.

2.The Superintendent of Police,  
Surveyor Colony,  
Madurai, Madurai District.

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

4.The Inspector of Police,  
Cyber Crime Police Station,  
Madurai, Madurai District.

5.Sri Kopeeka

6.Thirumalairaj

... Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the 3<sup>rd</sup> and 4<sup>th</sup> respondents not to harass the petitioner and his family members under the guise of enquiry on the basis of petitioner's representation, dated 17.09.2021.

For Petitioner : Mr.S.Muthukumar

For Respondents : Mr.K.Sanjai Gandhi  
Government Advocate (Crl. side)

**ORDER**

(This petition is heard through video conference)

This petition has been filed seeking direction to the 3<sup>rd</sup> and 4<sup>th</sup> respondents not to harass the petitioner and his family members under the guise of enquiry on the basis of petitioner's representation, dated 17.09.2021.



2. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that the fifth respondent fell in love with the petitioner some 10 years back. After that the fifth respondent got married with some other person and she is residing with her family. The marriage was performed at the instigation of the 6<sup>th</sup> respondent. When this matter was brought to the knowledge of this petitioner, he lodged a complaint before the All Women Police Station, Melur. He also sent some photos showing himself along with the fifth respondent to the bride groom of the fifth respondent and his father and begged them to solemnize marriage between him and the fifth respondent. But that was refused by them. Later marriage was solemnized on 15.02.2021. In such circumstances, the third respondent served summons to the petitioner to appear before him on 17.09.2021. So on that basis harassment is made.

3. The learned Additional Public Prosecutor submitted that based upon the complaint given by the fifth respondent herein enquiry is undertaken in CSR No.90 of 2021 and in the complaint, the fifth respondent has stated that the petitioner threatened and intimidated her by telling that he would send the photographs which was available with him to her husband and others and share the same through social media also. Based upon that complaint, the petitioner has been summoned. But, he did not appear before the Enquiry Officer.

4. Since allegations are made against the petitioner and summons were sent to him to appear before the Enquiry Officer, question of harassment may not arise. Summoning a person for enquiry cannot be treated and termed as harassment. In view of the facts and circumstances of the case, the petitioner is directed to appear before the Enquiry Officer and co-operate with him to complete the enquiry. If any trouble arises, the petitioner is at liberty to work out his remedy in the manner known to law. I find no merits in this case.

5. With the above directions and liberty, this petition is dismissed.

Sd/-

Assistant Registrar (Records)

// 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,*

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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 Commissioner of Police, Madurai, Madurai City.
- 2.The Superintendent of Police, Surveyor Colony, Madurai, Madurai District.
- 3.The Inspector of Police, District Crime Branch, Madurai, Madurai District.
- 4.The Inspector of Police, Cyber Crime Police Station, Madurai, Madurai District.
- 5.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.MUTHUKUMAR, Advocate ( SR-30218[F] dated 24/09/2021 )

**Crl.O.P. (MD) .No.14088 of 2021  
22.09.2021**

RD(5.10.2021) 3P 7C