



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD) No.14256 of 2021

Alagumalaikannan

... Petitioner

Vs.

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

2.The Inspector of Police,
All Women Police Station,
Sivagangai.

3.Kavitha

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to direct the respondents police not to harass the petitioner based on the complaint of the third respondent under the guise of enquiry.

For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.M.Veeranthiran
Government Advocate for R1 & R2
Mrs.Krishnaveni for R3

O R D E R

The petitioner and the third respondent are husband and wife. Some misunderstanding has cropped up between them. The children are presently with the petitioner. The third respondent has given a complaint before the second respondent. The second respondent has summoned the petitioner for enquiry. The petitioner alleges that the second respondent is compelling the petitioner to part with the children.

2. Since this is a matrimonial dispute, the parties will have to work out their rights before the jurisdictional Court. Taking into account the overall facts and circumstances, the following directions are issued:-



"(a) The second respondent will issue written summons to the petitioner for causing his appearance before him for enquiry. There is no question of orally summoning the petitioner to the police station.

(b) The second respondent will conclude the enquiry within a period of three weeks from the date of receipt of a copy of this order.

(c) If at the end of the enquiry, cognizable offence is made out and the second respondent proposes to register any FIR, the petitioner will be given notice of the same so that the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail."

3. With these directions, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar

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,
Sivagangai District, Sivagangai.

2.The Inspector of Police,
All Women Police Station, Sivagangai.

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

+1 CC to M/s.P.KRISHNAVENI, Advocate (SR-34241[F] dated 12/11/2021)

CrI.O.P. (MD)No.14256 of 2021
11.11.2021

mga/csm

MS/29.11.2021/2P.5C