



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.15679 of 2021

Kayathri ... Petitioner
vs.

1.The State rep. by its
The Commissioner of Police,
Office of the Commissioner of Police,
Trichy City.

2.The Inspector of Police,
Ponmalai All Women Police Station,
Ponmalai,
Trichy City.

3.Sivakumar ... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent police not to harass the petitioner on the guise of enquiry except through due process of law.

For Petitioner : Mr.B.Jameel Arasu
For Respondents : Mr.Veeranthiran
Government Advocate for R1 & R2

ORDER

This Criminal Original Petition has been filed for directing the second respondent not to harass the petitioner in the guise of enquiry.

2. When the matter was taken up for hearing, the learned Additional Public Prosecutor submitted that there is a matrimonial dispute between the petitioner and her husband. The petitioner is said to have sent offending messages concerning the advocate of her husband. Therefore, the complaint had been lodged before the second respondent. The second respondent wanted to enquire the petitioner in this regard. The petitioner instead of turning up has filed this petition.

3. I wanted to know as to whether any FIR has been registered against the petitioner. The answer is in the negative. When no FIR has been registered against the petitioner, the question of



summoning the petitioner does not arise at all. The second respondent shall act in the matter strictly as per law.

4. This Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (AD-II)

// 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 Commissioner of Police,
Office of the Commissioner of Police,
Trichy City.
- 2.The Inspector of Police,
Ponmalai All Women Police Station,
Ponmalai,
Trichy City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.15679 of 2021

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SR(CO)

GC/NS(25.11.2021) 2P 4C