



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2021

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P. (MD)No.19096 of 2021

WEB COPY

S.Jansirani

Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai District.

2.The Deputy Commissioner of Police, (L&O),
Office of the Commissioner of Police,
Madurai District.

3.The Inspector of Police,
B6, Jaihindpuram Police Station,
Madurai District.

Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to strictly instruct the respondent 3 for not to harass the petitioner and her husband by considering the petitioner's request dated 11.10.2021.

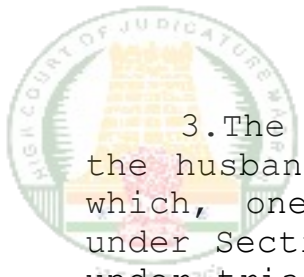
For Petitioner : Mr.R.Alagumani

For Respondents : Mr.R.M. Anbunithi
Additional Public Prosecutor.

O R D E R

This Writ Petition has been filed seeking Writ of Mandamus directing the respondents not to harass the petitioner and her husband, by considering the representation dated 11.10.2021.

2.The case of the petitioner is that she got married in the year 2018. Her husband is Ex Army Officer. She has completed Law degree and enrolment process to be completed. During 2018, a case has been registered against her husband and subsequently, 110 Cr.P.C proceedings have been initiated. Under the guise of enquiry, the respondent police visited the house of the petitioner, even night hours to make nuisance and trouble. So, they made representation dated 11.10.2021 and it is still kept pending.



3.The learned Additional Public Prosecutor would submit that the husband of the petitioner was involved in five cases, among which, one case has been registered for the offence punishable under Section 202 IPC and three cases are pending trial and one is under trial. Apart from this, History sheet is also opened in his name in H.S.No.416 of 2018 and that has been periodically extended and LIR is also initiated on 07.03.2021. Only for the purpose of keeping watch of the movement and surveillance, visit has been undertaken. Except that no other harassment was made by the respondent.

4.The learned counsel for the petitioner would submit that the petitioner's husband is regularly appearing before the concerned Court for trial. Even during night hours, the respondent police visited the house of the petitioner.

5.Considering the submissions made by the learned counsel for the petitioner, the respondent police shall avoid the visit to the petitioner's house during night hours. Due to that extent only, direction can be issued. Surveillance made by the petitioner cannot be construed as harassment. Apart from that, if there is any trouble arise in future, the petitioner is at liberty to get appropriate remedy through appropriate proceedings.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// 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 Commissioner of Police,
Office of the Commissioner of Police,
Madurai District.



2.The Deputy Commissioner of Police, (L&O),
Office of the Commissioner of Police,
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RK/PM(22/11/2021) 3P 4C