



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.18653 of 2021

M.Shanthi

... Petitioner

Vs.

1.The Superintendent of Police,
O/o. The Superintendent of Police,
Ramanathapuram.

2.The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram.

3.Guganeshwaran,
The Sub Inspector of Police,
Kenikarai Police Station,
Ramanathapuram.
(Crime No.652 of 2021)

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent No.3 not to harass the petitioner in the guise of enquiry in view of keeping in mind to withdraw the case against him filed by the petitioner.

For Petitioner : Mr.S.M.A.Jinnah
For Respondents : Mr.M.Sakthi Kumar,
1 & 2 Govt. Advocate (Crl. Side).

O R D E R

This criminal original petition has been filed alleging harassment at the hands of the respondent police.

2.The petitioner's counsel would state that the petitioner's son was stabbed several times. That led to registration of Crime No.652 of 2021 on the file of Kenikarai Police Station. According to the petitioner, the third respondent is adopting indulgent attitude towards the accused in that case. In order to pressurize the petitioner to compromise the matter, the respondent police are harassing the petitioner by summoning them for enquiry by taking a counter complaint in the accused in Crime No.652 of 2021. To forbear the respondent police from harassing the petitioner and her family members, this criminal original petition



has been filed.

3. When the matter was taken up for hearing, the learned Government Advocate (Crl. Side) submitted that based on the complaint received from the other party, Crime No.875 of 2021 has been registered on the file of Kenikarai Police Station for the offences under Sections 294(b), 323, 427 and 506(i) of IPC. Since an FIR has been registered, the respondent police of course have to act only as per due process of law. If the respondent police want to summon the petitioner, they have to summon the petitioner only in writing and there is no question of orally summoning the petitioner or her family members.

4. This criminal original petition is disposed of on these terms.

Sd/-

Assistant Registrar (AS)

// 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 Superintendent of Police,
O/o. The Superintendent of Police,
Ramanathapuram.
2. The Inspector of Police,
Kenikarai Police Station, Ramanathapuram.
3. The Sub Inspector of Police,
Kenikarai Police Station, Ramanathapuram.
4. The Additional Public prosecutor,
Madurai Bench of Madras High Court, Madurai

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SS (CO)

KB(08.12.2021) 2P 5C

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