



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
Crl.O.P. (MD)No.17933 of 2021

WEB COPY

P.Saraswathi

... Petitioner

vs.

1.The Superintendent of Police,
O/o. the Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
Kalugumalai Police Station,
Thoothukudi District.

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to issue a direction, direct the second respondent not to harass the petitioner, her husband namely Paramasivam and family members without any legally sustainable complaint and to direct the respondents 1 and 2 to follow guideline issued by the Honourable Supreme Court in D.K.Basu (1997 1 SCC 416) case in matters pertaining to arrest or interrogation within the time period stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

O R D E R

The petitioner's son has been convicted for the offence under Section 417 IPC. The conviction as also sentence has been confirmed by this Court. It is stated that the petitioner's son had moved the Honourable Supreme Court. The Diary Number has also been given.

2. The grievance of the petitioner is that the second respondent is pressurizing the petitioner to hand over her son. According to the petitioner, her son is presently on the run. It is for the second respondent to trace the petitioner's son. The petitioner cannot be harassed or forced to hand over her son.



3. The petitioner through her counsel gives undertaking that if her son contacts her or her husband, on knowing about the whereabouts of the petitioner's son she would inform the second respondent about the same.

4. Recording the undertaking of the petitioner, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

csm/mga

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,
Thoothukudi District,
Thoothukudi.
- 2.The Inspector of Police,
Kalugumalai Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T. THIRUMURUGAN, Advocate (SR-35487[F] dated 23/11/2021)

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MGJ(01.12.2021) 2P 5C