



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2022

CORAM :

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.213 of 2022

Sivakumar

...Petitioner

Versus

1.The Superintendent of Police,
O/o. Superintendent of Police,
Krishnagiri District.

2.The Inspector of Police,
AWPS-Bargur,
Krishnagiri District.

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd Respondent, i.e., The Inspector of Police, AWPS-Bargur, Krishnagiri District, not to harass the Petitioner on frivolous complaint.

For Petitioner : Mr.V.Gopalsamy

For Respondents : Mr.R.Vinothraja
Government Advocate
(Crl.Side)

O R D E R

This Criminal Original Petition has been filed to direct the 2nd Respondent, i.e., The Inspector of Police, AWPS-Bargur, Krishnagiri District, not to harass the Petitioner on frivolous complaint.

2. The grievance of the petitioner is that on the complaint given by one Sasirekha, the petitioner was called often during odd hours by the respondent police, under the guise of enquiry and harassing him.

3. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner married one Ammani and due to misunderstanding between them, he is living separately. He further submitted that the petitioner and one Sasirekha/de-complainant, who happens to be the friend/colleague



of the petitioner had in love with each other and developed extra marital relationship and the petitioner also said to have married the de-facto complainant/Sasirekha and now moved away from her, due to which she gave complaint against the petitioner. He further submitted that since it is a complex issue, which involves the personal life of the petitioner as well as the de-facto complainant, the petitioner was called for enquiry and therefore the same cannot be termed as harassment.

4. Considering the facts and circumstances of the case and since the dispute pertains to extra marital relationship this Court directs the petitioner as well as the de-facto complainant to appear before the respondent police, within a period of two weeks from the date of receipt a copy of this order and give explanation and thereafter the respondent police shall act in accordance with law.

5. This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar (CS-IX)

// True Copy //

Sub Assistant Registrar

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To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Krishnagiri District.
2. The Inspector of Police,
AWPS-Bargur,
Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.213 of 2022

GPL (CO)
RVM(09/02/2022)