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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.1596 OF 2022

Mrs.Basimafarah

... Petitioner

Versus

The State Rep. by
The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai - 600 040.
(CSR.No.3 of 2022)

... Respondent

PRAYER:-

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police not to harass petitioner and petitioner's family members based on the complaint given by A.Harikrishnan, pending CSR.No.03 of 2022 on the file of the respondent police.

For Petitioner : Mr.V.Karthikeyan

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to direct the respondent police not to harass petitioner and petitioner's family members based on the complaint given by A.Harikrishnan, pending CSR.No.03/2022 on the file of the respondent police.

2. The learned counsel appearing for the petitioner submits that the petitioner is the wife of one Ariff Ali. On 03.01.2022, one A.Harikrishnan, had lodged a complaint before the respondent police against the said Ariff Ali, for creation of forged



documents and cheated the above said Harikrishnan. For the past five months, the whereabouts of the said Ariff Ali was not known to the petitioner. The parents of the said Ariff Ali was residing with the petitioner.

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3. The learned counsel appearing for the petitioner fairly submits that the petitioner herein has not filed any FIR or any HCP petition to find out the whereabouts of her husband Ariff Ali. The divorce petition is contemplated to be filed soon.

4. The learned Additional Public Prosecutor submits that the said Ariff Ali had fabricated the documents and created the forged Legal Heirship certificate and committed the offence of cheating and forgery. For clarification, the petitioner was called for enquiry. The petitioner, on the other hand termed it to be as harassment.

5. The learned counsel appearing for the petitioner on instruction submits that the petitioner shall appear before the respondent police on 08.02.2022 and 09.02.2022 along with the necessary documents to prove and confirm about that the petitioner and her husband were living independently and individually.

6. Considering the submissions and on perusal of the materials, this Court directs the petitioner to appear before the respondent police on 08.02.2022 and 09.02.2022. Thereafter the respondent police is directed to conduct enquiry along with the women police officer and thereafter to proceed with the enquiry in the manner known to law.

7. With the above directions, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
K-4, Anna Nagar Police Station,
Chennai - 600 040.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.S.Loganathan, Advocate, S.R.No.5567

CRL.O.P.NO.1596 OF 2022

PMK (CO)
PBS/14/02/2022