



Crl.O.P No.26733 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **04.11.2022**

CORAM :

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.26733 of 2022

1.Uma Maheswari
2.Loganathan

... Petitioners

Vs

State rep.by
The Inspector of Police
G-5, Secretariat Police Station
Kellys, Chennai-600 010.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to direct the respondent not to harass the petitioners under the
guise of enquiry.

For Petitioners : Mr.A.Sakthivel

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.side)

ORDER

The Criminal Original Petition has been filed, seeking a direction to
the respondent not to harass the petitioners under the guise of enquiry.



Crl.O.P No.26733 of 2022

2. On the complaint given by one Lakshmipathy, the case has been registered against the petitioners for the offences under Sections 341, 294(b), 324, 307 and 506(ii) IPC.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

4. The learned counsel appearing for the petitioners submitted that the 1st petitioner is working as a Record Clerk in the Secretariat; the petitioners are husband and wife; on 20.01.2022, due to matrimonial dispute between the petitioners, a wordy quarrel occurred; one Lakshmipathy, who is the well-wisher of the 1st petitioner came to her house to sort out the family dispute; but the 1st petitioner by mistaken pushed him away; at that point of time, one Senthilkumar who was working as Inspector of Police, had previous enmity with the 1st petitioner had registered an FIR on the complaint given by Lakshmipathy; now the respondent police are trying to harass the petitioners by stating that they are going to initiate 110 Cr.P.C proceedings against them; hence the petitioners have filed this petition seeking a direction to the respondent



Crl.O.P No.26733 of 2022

police not to harass them under the guise of enquiry.

WEB COPY

5. The learned Government Advocate (Crl.Side) submitted that the petitioners are accused in the said case and hence, they cannot say that they are being harassed by the police.

6. Eventhough the petitioners are the accused in the case given by one Lakshmiathy, they are not habitual offenders. There is no particulars provided to show that they had any previous criminal antecedents. In the present case also, the petitioners have been released on bail. Under such circumstances, if the respondent police initiate some other action and call the petitioners for enquiry that would affect the dignity and personal peace of the petitioners. The 1st petitioner is working as a Record Clerk in the Secretariat, Chennai. Hence the respondent police shall not initiate any unnecessary actions against the petitioners without any valid reasons.

7. In this regard, the 1st petitioner herself has given a representation to the respondent police on 18.10.2022. The respondent shall consider the



Crl.O.P No.26733 of 2022

said representation and do the needful in accordance with law.

WEB COPY

8. With the above observation, this Criminal Original Petition is disposed of .

04.11.2022

Index : Yes/ No
Speaking Order: Yes/No
uma

To

1.The Inspector of Police
G-5, Secretariat Police Station
Kellys, Chennai-600 010.

2.The Public Prosecutor
High Court of Madras.

R.MANJULA, J

uma



WEB COPY



Crl.O.P No.26733 of 2022

Crl.O.P.No.26733 of 2022

04.11.2022