



Crl.O.P.(MD) No.21191 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.21191 of 2022

A.S.Aadham Sabiyulla

...Petitioner

VS

1. The Commissioner of Police
Madurai City
Madurai.

2. The Inspector of Police
All Women Police Station
Thallakulam
Madurai District

3. Mariyam Thagira

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C,
praying to direct the second Respondent not to harass the Petitioner without
following the due process of law.

For Petitioner
For R1 & R2

: Mr.M.Subash Babu
: Mr.R.Suresh Kumar
Government Advocate (Crl. side)



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ORDER

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This Criminal Original Petition had been filed to direct the second Respondent not to harass the Petitioner without following the due process of law.

2. It is the submission of the learned Counsel for the Petitioner that the third Respondent is the wife of the first Petitioner.

3. The third Respondent also preferred complaint against the Petitioner in the month of May that was enquired by the second Respondent and after enquiry it was closed. Again the third Respondent had approached the police on the same allegations based on which the second Respondent had summoned the Petitioner at odd hours.

4. The learned Government Advocate (Crl.side) would submit that the third Respondent had given complaint to the Director General of Police, Tamil Nadu and based on the proceedings of the Director General of Police, Tamil Nadu, the second Respondent had registered the complaint in current paper.



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5. Considering the submission of the learned Counsel for the Petitioner and the learned Government Advocate(Crl.Side) that enquiry is pending in current paper, the second Respondent is directed to follow the guidelines as per the guidelines issued by the Hon'ble Supreme Court of India in ***Lalitha Kumari Vs. Government of Uttar Pradesh*** reported in ***2013 (6) CTC 353*** regarding enquiry with regard to the matrimonial dispute cases and not harass the Petitioner by summoning at odd hours. The Petitioner is directed to cooperate with the pending enquiry.

6. With the above direction, the Criminal Original Petition stands disposed of.

30.11.2022

Internet: Yes./No

Index: Yes/no

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1. The Commissioner of Police
Madurai City
Madurai.
2. The Inspector of Police
All Women Police Station
Thallakulam
Madurai District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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