



CRL.O.P.(MD)No.12398 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.07.2023**

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

CRL.O.P.(MD)No.12398 of 2023

S.M.Solaimathi

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Deputy Superintendent of Police,
Kamuthi Circle,
Ramanathapuram District.

3.The Inspector of Police,
Perunali Police Station,
Ramanathapuram District.

4.The Sub-Inspector of Police,
Perunali Police Station,
Ramanathapuram District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the second respondent not to harass the petitioner and her family members by restraining the ear-piercing ceremony of her son, namely, S.M.Mathi Arasan, on 09.07.2023 at Arulmighu Kaliyamman Temple, Kadamangalam, Kamuthi,



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Ramanathapuram District, by considering her representation dated 04.07.2023.

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This petition is filed seeking for a direction to the police not to harass the petitioner and his family members, by restraining the ear-piercing ceremony of her son, namely, S.M.Mathi Arasan, on 09.07.2023, at 10.30 a.m., to 12.00 p.m.

2. It is also submitted by the learned counsel for the petitioner that the petitioner has given a representation to the second respondent on 04.07.2023 that the ear piercing ceremony, will be celebrated at Arulmighu Kalamman Temple, Kadamangalam, Kamuthi, Ramanathapuram District and that the second respondent stated to have been told the petitioner not to perform the ear piercing ceremony in the said temple which falls within the territorial jurisdiction of the second respondent.



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3. The learned Additional Public Prosecutor on the other hand after taking instructions from the second respondent submits that the second respondent has never gave any instructions or directions to the petitioner either orally or in writing, asking her not to conduct such program at the temple and the police are not created any hurdles. However, it is submitted that the concern of the police is of the husband of the petitioner is involved in 48 criminal cases and to the function which is being organized by them, there is a possibility of other persons who have got criminal background are likely to come which may ultimately land in some law and order problem and other issues.

4. The learned counsel for the petitioner submits that they are conducting the program with about 200 to 300 people.

5. Since the learned Additional Public Prosecutor submitted on behalf of the second respondent that no such instructions were given to the petitioner for conducting of private functions, this petition becomes infructuous. However, the police are at liberty to control the situation in case, if any law and order or other issue arises, during the process of



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conducting the function. However, the police are required to keep in mind that the petitioner is conducting their private family function and as far as possible they should not be disturbed. The learned Additional Public Prosecutor also reported that he has already instructed the concerned police, the orders of this Court.

6. This Criminal Original Petition is disposed of.

07.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Note: Issue order copy on **07.07.2023 (today)**

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To

- 1.The Superintendent of Police, Ramanathapuram District,
Ramanathapuram.
- 2.The Deputy Superintendent of Police, Kamuthi Circle,
Ramanathapuram District.
- 3.The Inspector of Police, Perunali Police Station,
Ramanathapuram District.
- 4.The Sub-Inspector of Police, Perunali Police Station,
Ramanathapuram District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



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DR.D.NAGARJUN,J

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Dated: 07.07.2023