



WEB COPY

Crl.O.P.(MD)No.12555 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.07.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.12555 of 2023

Shanmugavel

... Petitioner

Vs.

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

2.The Inspector of Police,
All Women Police Station, Theni.

3.Shalini

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent not to harass the petitioner under the guise of enquiry on the complaint foisted by the third respondent.

For Petitioner : Mr.T.Lenin Kumar

For R1 and R2 : Mr.B.Thanga Aravindh
Government Advocate Crl.Side)

For R-3 : Mr.G.Rajan

ORDER

This Criminal Original Petition is filed seeking for a direction to the respondent Police not to harass the petitioner under the guise of enquiry on a complaint given by the third respondent.



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2. It is submitted by the learned counsel appearing for the petitioner that respondent No.3 is the wife of the petitioner, who walked out of the matrimonial home voluntarily allegedly on account of gap of age between the petitioner and the third respondent. Subsequently, respondent No.3 is stated to have filed a complaint before the second respondent Police that thirty sovereigns of gold have been kept with the petitioner, and that he is not returning them to her.

3. Learned counsel for the petitioner submits that respondent No.3 has not given any jewellery to him. Mr.G.Rajan, Advocate appearing for respondent No.3 has submitted that during the course of enquiry before the third respondent, the third respondent has submitted the bills to show that thirty sovereigns of gold was purchased at the time of marriage and the petitioner has admitted to return 16 sovereigns of gold. Learned counsel for the petitioner submits that on account of a pressure of the police, the petitioner had to undertake to return sixteen sovereigns of gold.

4. Learned Government Advocate (Criminal Side) on the other hand submits that the police have enquired basing on a



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DR.D.NAGARJUN. J.

tsg

To

- 1.The Superintendent of Police,
Theni District, Theni.
- 2.The Inspector of Police,
All Women Police Station, Theni.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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