



*CrI.O.P.(MD) No.18897 of 2023*

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2023

CORAM:

THE HONOURABLE DR.JUSTICE G.ILANGO VAN

**CrI.O.P.(MD)No.18897 of 2023**

1.S.Hemalatha

2.B.Saran Sivakumar

...Petitioners

Vs.

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

2.The Inspector of Police,  
Vaiyampatti Police Station,  
Tiruchirappalli District.  
(In Crime No.365/2023)

3.Raju

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2<sup>nd</sup> respondent police not to harass the petitioners based on the petitioners' representation dated 13.10.2023.

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For Petitioner :Mr.T.A.Ebenezer

For Respondent :Mr.M.Sakthi Kumar for R1 & R2  
Government Advocate (Crl. Side)

:Mr.V.M.Jagadees Pandian for R3

### **ORDER**

This Criminal Original Petition has been filed to direct the 2<sup>nd</sup> respondent police not to harass the petitioners based on the petitioners' representation dated 13.10.2023.

2. The learned Government Advocate (Crl.Side) would submit that in view of the investigation taken up in Crime No.365 of 2023, a case has been registered for the offences punishable under Sections 294(b) and 306 IPC against six persons. When the husband of this petitioner moved Crl.O.P(MD) No.14718 of 2023 seeking anticipatory bail, interim anticipatory bail was granted. Later it came to be dismissed. During the above said interim anticipatory bail, this petitioner stood as surety. After dismissal of the anticipatory bail, the said Senthil Kumar went absconding. Only for the purpose of making investigation and to find out the whereabouts of the said Senthil Kumar, this petitioner was called for



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enquiry. Except that, there is no harassment to the petitioner herein.

3. The learned counsel for the petitioner would submit that against the dismissal order, that was passed by this Court, the husband of the petitioner filed S.L.P. Before the Apex Court and the same is pending. Pending the above said process, harassment has been made by the respondent Police.

4. When the investigation is undertaken, it is the duty of the Police that making proper enquiry to find out the whereabouts of the accused, that cannot be considered as harassment. It is the duty of the petitioner to co-operate with the second respondent in this regard. Let the proper summon be issued to the petitioner by the second respondent herein.

5. With the above said directions, this Criminal Original Petition is dismissed.

**19.10.2023**

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



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**G.ILANGO VAN. J.**

Indu

To

- 1.The Superintendent of Police,  
Tiruchirappalli District.  
Tiruchirappalli.
- 2.The Inspector of Police,  
Vaiyampatti Police Station,  
Tiruchirappalli District.  
(In Crime No.365/2023)
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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**19.10.2023**