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Crl.O.P.No.16266 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.16266 of 2024

Aruna Venkateshwari

... Petitioner

Vs.

1.State Rep.by
The Assistant Commissioner of Police,
Pallavaram Range,
Pallavaram,
Chennai-43

2.R.Arun Deepak

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleased to direct the 1st respondent police not to harass the petitioner under the guise of enquiry.

For Petitioner : Mr.D.Venkatachalam

For R1 : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed to direct the respondent police not to harass the petitioner under the guise of enquiry.



CrI.O.P.No.16266 of 2024

WEB COPY

2. The petitioner herein has been summoned under Section 160 Cr.P.C., to appear for enquiry on the complaint given by her husband. The petitioner instead of participating in the enquiry has sent a letter and now before this Court alleging that the police is harassing her.

3. The learned counsel appearing for the petitioner taking advantage of proviso to the Section 160 Cr.P.C., claims that the petitioner being a woman she cannot be summoned under Section 160 Cr.P.C., to attend the enquiry, the place other than where she is residing.

4. The said submission is highly preposterous and if it is to be given meaning the way as the counsel argued, then there cannot be any fruitful investigation. The petitioner herein is aged 27 years and gainfully employed lady. She been called for enquiry pursuant to the complaint against her.

5. The learned counsel appearing for the petitioner submits that the summon dated 24.06.2024 to appear before the Inspector of Police, Palladam on 28.06.2024 was received by the petitioner only on



CrI.O.P.No.16266 of 2024

28.06.2024 at her residence in Tenkasi.

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6. If it is so, the petitioner shall go and appear before the Inspector of Police on 19.07.2024 at 10.30 a.m. Causing summon under Section 160 Cr.P.C., by itself cannot be construed as harassment by the police who was supposed to enquire on the complaint given to them.

7. With the above direction, this Criminal Original Petition is dismissed.

11.07.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Assistant Commissioner of Police,
Pallavaram Range,
Pallavaram,
Chennai-43

2.The Public Prosecutor,
High Court of Madras,
Chennai.

Dr.G.JAYACHANDRAN,J.

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CrI.O.P.No.16266 of 2024

CrI.O.P.No.16266 of 2024

11.07.2024