



WEB COPY



CrI.O.P.No.24027 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2024

CORAM

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

CrI.O.P.No.24027 of 2024

1.V.M.Amanullah
2.V.A.Mohammed Zahi
3.A.Jabeen
4.Z.Shaiqua Firdouse
5.V.A.Muzammil
6.V.A,Mudassir
7.N.Irshad Ahmed

... Petitioners

Vs.

1.The Deputy Superintendent of Police,
Gudiyaatham Sub-Division, Vellore District

2.The Sub-Inspector of Police,
H-1 Pernambut Police Station,
Gudiyaatham Taluk,
Vellore District.

3.All Women Police Station,
Gudiyaatham,
Vellore District- 632 602

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C./
528 BNSS, pleased to direct the 1st Respondent give instruction to the 2nd
& 3rd Respondent Police not to harass the petitioners

For Petitioners

: Mr.A.Ramesh Manikandan



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For Respondents : Mr.S.Udayakumar
Government Advocate (Crl.Side)

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ORDER

The petitioners are the husband and relatives of the defacto complainant. For theft of 75 sovereign jewels and marrying another lady, complaint by the wife registered by the All Women Police Station in C.S.R.No.449 of 2024 and the petitioners were summoned for enquiry.

2. This Criminal Original Petition is filed for direction to the respondent police not to harass on the complaint given against them.

3. The learned counsel appearing for the petitioners states that initially they were called by the 1st respondent/Deputy Superintendent of Police, Gudiyatham Sub Division. Thereafter, Sub Inspector of Police, Pernambut Police Station and now by the All Women Police Station, Gudiyatham been repeatedly summoned. The petitioners are affected by being enquired by three authorities. Therefore, prayed that if any one of the respondent enquired the matter, they are ready to appear before them.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police states that initially on the complaint received by the



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Deputy Superintendent of Police, Gudiyatham and vide media report, the 2nd petitioner was called to ascertain the veracity of the complaint.

Thereafter, the Deputy Superintendent of Police requested the jurisdictional Inspector of Police to make preliminary enquiry. Having found that it is a case of cruelty to woman and the matter is now been entrusted to the All Women Police Station/the 3rd respondent herein and they have registered C.S.R.449 of 2024. If the petitioners participate in the enquiry, the Investigating Officer will be able to proceed on the complaint against these petitioners, instead they have approached this Court as if the 3rd respondent is harassing them.

5. Heard the counsels and records perused.

6. This is a serious case of cruelty and breach of trust. It is alleged that using the jewels of the complainant, 2nd petitioner has married another lady and also causing cruelty to the defacto complainant. Therefore, it is appropriate to direct the 3rd respondent to cause summons to the petitioners and conduct preliminary enquiry and if any criminality is made out, proceed in accordance with law.

Dr.G.JAYACHANDRAN,J.



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rpl

WEB COPY 7. With the above said directions, this Criminal Original

Petition is disposed of.

30.09.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Deputy Superintendent of Police,
Gudiyatham Sub-Division, Vellore District

2.The Sub-Inspector of Police,
H-1 Pernambut Police Station,
Gudiyatham Taluk,
Vellore District.

3.All Women Police Station,
Gudiyatham,
Vellore District- 632 602

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

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