



CrI.O.P.(MD).No.2285 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.02.2024

CORAM:

THE HONOURABLE Mr. JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.(MD).No.2285 of 2024

Alagesan

... Petitioner

Vs.

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

2.The Inspector of Police,
All Women Police Station,
Rajapalayam Town,
Virudhunagar District.

3.The Inspector of Police,
Rajapalayam Police Station,
Rajapalayam Town,
Virudhunagar District.

4.The Inspector of Police,
Thalavaipuram Police Station,
Thalavaipuram, Rajapalayam Taluk,
Virudhunagar District.

5.Jeyashree

...Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct Respondents 2 to 4 herein not to harass the Petitioner in the name of enquiry based on the complaint of the fifth



Crl.O.P.(MD).No.2285 of 2024

Respondent and to direct the first Respondent to instruct the Respondents 2 to 4 Police officials to restrain themselves from harassing the Petitioner.

For Petitioner : Mr.M.Thirunavukkarasu

For R-1 and R-2 : Mr.M.Veeranthiran
Government Advocate
(Criminal Side)

ORDER

The learned Counsel for the Petitioner submitted that the wife of the Petitioner who is the fifth Respondent had given a complaint with the second Respondent. It is the further submission of the learned Counsel for the Petitioner that he had filed HMOP No.138 of 2023 pending on the file of the learned Additional Sub Judge, Srivilliputhur in which the fifth Respondent had entered appearance. Subsequently, the fifth Respondent filed I.A.No.1 of 2024 seeking interim maintenance for which the Petitioner herein as Respondent is yet to file counter. While so, based on the complaint of the fifth Respondent, the second Respondent is harassing the Petitioner. Therefore, the Petitioner was forced to file this petition seeking direction against the Respondents 1 to 4 not to harass him.



Crl.O.P.(MD).No.2285 of 2024

2. The learned Government Advocate (Criminal Side) on instructions of the Respondents 1 to 4 would submit that the fifth Respondent had preferred a complaint, based on which summons was issued to the Petitioner. Subsequently, the Petitioner herein himself preferred a complaint for which also summons was issued. The Petitioner did not appear. Earlier complaint preferred by the fifth Respondent was closed. Subsequently, no fresh complaint received from the fifth Respondent.

3. Recording the submission of the learned Government Advocate (Criminal Side), this Criminal Original Petition is closed. If at all any complaints are received by the Respondent Police, the Respondent Police are directed to act as per the reported ruling of the Hon'ble Supreme Court in the case of *Lalitha Kumari Vs. State of Uttar Pradesh* reported in *2014 (2) SCC 1*, regarding matrimonial dispute, by issuing summons to the Petitioner and by specifying the date and time for appearance of the Petitioner.

14.02.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



Crl.O.P.(MD).No.2285 of 2024

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Virudhunagar.
- 2.The Inspector of Police,
All Women Police Station,
Rajapalayam Town,
Virudhunagar District.
- 3.The Inspector of Police,
Rajapalayam Police Station,
Rajapalayam Town,
Virudhunagar District.
- 4.The Inspector of Police,
Thalavaipuram Police Station,
Thalavaipuram, Rajapalayam Taluk,
Virudhunagar District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD).No.2285 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

Nsr

Crl.O.P.(MD).No.2285 of 2024

14.02.2024