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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)No.2759 of 2024

1.Ayyapan

2.Palanichamy

3.Nagammal ...Petitioners

Vs.

1. The Superintendent of Police,
   O/o. the Superintendent of Police,
   Venunachiyar Compound,
   Dindigul.

2. The Sub Inspector of Police,
   Sanarpatti Police Station,
   Dindigul District.

3. Sivaranjini. ... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the second Respondent not to harass the Petitioners in any manner in the guise of enquiry based on the false complainant given by the third Respondent, based on the representation dated 17.02.2024.

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For Petitioners : Mr.V.Karuna

For Respondents : Mr.M.Veeranthiran
Government Advocate (Criminal side)

ORDER

The learned Counsel for the Petitioners submitted that the first Petitioner is the husband of the third Respondent. The Petitioners 2 and 3 are the parents of the first Petitioner. Based on the complaint of the third Respondent, the Petitioners herein are summoned by the second Respondent. Therefore, the Petitioners had filed this Petition seeking direction against the Respondent Police, not to harass the Petitioners.

2. The learned Government Advocate (Criminal side) on instructions from the Respondent Police submitted that the first Petitioner had taken the third Respondent to his matrimonial home where she was ill treated along with her two year old child. The third Respondent was not provided any food. Therefore, the third Respondent was returned and lodged a complaint with the second Respondent. Based on the complaint, the second Respondent had registered a case in CSR. Earlier also, there was a similar

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complaint lodged by the third Respondent. Therefore, the second Respondent counselled them, based on which there was a reunion between the first Petitioner and the third Respondent. Therefore, the earlier CSR was closed. Based on the second complaint of the third Respondent, the second Respondent had only called the Petitioners through mobile phone. Immediately, the Petitioners had filed this petition.

3. The learned Government Advocate on instructions from the Respondent Police submitted that the Respondent Police will follow the circular of the Director General of Police, Head of Police Force, Tamil Nadu State, Chennai -4 issued in Rc.No.892914/X1/2020 dated 12.03.2021 and the circular of the Additional Director General of Police, Chennai, issued in C.No.18/ADGP/L & O/Camp/2024 dated 09.01.2024.

4. Recording the submission of the learned Government Advocate (Criminal side), the Respondents No.1 and 2 are directed that, in case, the Respondent Police are holding an enquiry, they shall issue summons to the Petitioners by specifying the date and time for the appearance of the Petitioners and they shall not summons the Petitioner at odd hours.

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5. With the above said direction, this Criminal Original Petition is disposed of.

22.02.2024

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

To

1. The Superintendent of Police,
   O/o. the Superintendent of Police,
   Venunachiyar Compound,
   Dindigul.

2. The Sub Inspector of Police,
   Sanarpatti Police Station,
   Dindigul District.

3. The Additional Public Prosecutor,
   Madurai Bench of Madras High Court,
   Madurai.

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SATHI KUMAR SUKUMARA KURUP, J.,

jbr

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