



Crl.O.P.(MD)No.10164 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.10164 of 2023

B.Prabhu

... Petitioner

Vs.

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

2.The Inspector of Police,
All Women Police Station,
Aranthangi,
Pudukkottai District.

3.Malathi

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent not to harass the petitioner under the guise of enquiry.

For Petitioner

: Mr.P.T.Ramesh Raja

For R1 & R2

: Mr.P.Kottaichamy,
Government Advocate(Crl.side)

For R3

: Mr.G.Vishnuram



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ORDER

The petitioner, with an allegation that the second respondent police is harassing him under the guise of an enquiry, has approached this Court.

2.The learned Government Advocate(Crl.side) appearing for the official respondents submits that the petitioner's wife has lodged a complaint for dowry harassment and based on which, an enquiry has been initiated in CSR.No.161 of 2023. However, in view of filing of this petition, the respondent police is unable to proceed with the complaint, for the past one year.

3.The learned counsel appearing for the petitioner submits that it is only a matrimonial dispute, for which, the respondent Police is harassing the petitioner.

4.The learned counsel appearing for the third respondent submits that by filing this petition, the petitioner has prevented the respondent



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police from proceeding with the case. Further, he submits that at the request of the petitioner, the matter has been referred to the mediation twice, however, no settlement was reached.

5.This Court considered the rival submissions made on either side and perused the materials available in the records.

6.The third respondent has lodged a complaint before the second respondent Police for dowry harassment on 30.05.2023, based on which, an enquiry has been initiated in CSR.No.161 of 2023. This petition has been filed on 07.06.2023 and the same has been successfully kept pending, in the guise of compromise and it appears that at the request of the learned counsel for the petitioner, the matter has also been referred to the mediation centre, however, no settlement was reached. A report dated 14.12.2023 has also been placed before this Court. Thereafter, the petitioner has managed to keep the petition pending for six more months and the second respondent Police has also not proceeded with the complaint.



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7.Considering the attitude of the petitioner in keeping this petition pending, in the guise of compromise, this Court is not inclined to entertain this petition. Accordingly, this criminal original petition is dismissed. The second respondent police is directed to register a case forthwith and proceed further.

08.07.2024

Index : Yes/No
Internet:Yes
gns

To

- 1.The Superintendent of Police,
Pudukkottai,
Pudukkottai District.
- 2.The Inspector of Police,
All Women Police Station,
Aranthangi,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

gns

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